

# Congressional Record.

## PROCEEDINGS AND DEBATES OF THE SIXTY-FOURTH CONGRESS, SECOND SESSION.

### SENATE.

SATURDAY, January 27, 1917.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou dost teach us the higher unity of interests that we have in the world by the very sacrifices we are called upon to make for the general good. By the bond of sympathy with which Thou hast brought us together in the common interests of mankind, Thou hast drawn us to Thyself. Duty is our highest word. We pray that this day we may fulfill the divine plan of life by accomplishing all that duty calls upon us to do in God's name. We ask Thy blessing upon us in the performance of the duties of this day. For Christ's sake. Amen.

#### CALLING OF THE ROLL.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Norris	Smith, Md.
Brady	Hitchcock	Overman	Smoot
Chamberlain	Husting	Page	Sterling
Colt	Jones	Pittman	Sutherland
Culberson	Kenyon	Polindexter	Thomas
Curtis	Kern	Reed	Wardman
Dillingham	Lane	Robinson	Warren
Fall	Lee, Md.	Shafroth	Weeks
Fernald	McCumber	Sheppard	Works
Gallinger	Martine, N. J.	Smith, Ga.	

The VICE PRESIDENT. Thirty-nine Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absent Senators.

The Secretary called the names of the absent Senators, and Mr. HOLLIS, Mr. MARTIN of Virginia, Mr. THOMPSON, Mr. TOWNSEND, and Mr. WATSON answered to their names when called.

Mr. HARDWICK, Mr. BRYAN, Mr. BANKHEAD, Mr. SHIELDS, and Mr. CATRON entered the Chamber and answered to their names.

Mr. OVERMAN. I wish to announce that my colleague [Mr. SIMMONS] is absent on account of sickness and that the Senator from West Virginia [Mr. CHILTON] is absent on account of sickness in his family. I will let this announcement stand for the day on all roll calls.

Mr. MARTINE of New Jersey. I have been requested to announce that the senior Senator from Kentucky [Mr. JAMES] is detained on account of official business and that the Senator from Oklahoma [Mr. GORE] is detained from the Senate on account of illness.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Journal of yesterday's proceedings was read and approved.

#### CLERICAL ASSISTANCE TO SENATORS.

The VICE PRESIDENT. In accordance with Senate resolution 330, requiring the Vice President to appoint a committee of five Senators to consider what clerical help should be allowed to Senators who are not chairmen of committees, the Chair appoints the Senator from North Carolina [Mr. OVERMAN], the Senator from Ohio [Mr. POMERENE], the Senator from California [Mr. PHELAN], the Senator from Washington [Mr. JONES], and the Senator from Iowa [Mr. KENYON] members of the committee.

#### REGENT OF THE SMITHSONIAN INSTITUTION.

The VICE PRESIDENT. The Chair, in accordance with the law, designates HENRY CABOT LODGE, a Senator from Massachusetts, to succeed himself as a Regent of the Smithsonian Institution.

#### VISITORS TO ANNAPOLIS.

The VICE PRESIDENT. The Chair, in accordance with the provisions of the last appropriation act touching naval affairs, announces the appointment of the Senator from Maryland [Mr. SMITH], the Senator from North Carolina [Mr. SIMMONS], the Senator from Massachusetts [Mr. WEEKS], and the Senator from Maine [Mr. FERNALD] as visitors on the part of the Senate to the Naval Academy at Annapolis.

#### PROPOSED AMENDMENTS OF BANKING ACT.

Mr. WORKS. I have here a letter from Mr. C. E. Holcomb, president of the First National Bank, of Anaheim, Cal., suggesting some needed amendments to the Federal reserve banking act, which I ask be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE FIRST NATIONAL BANK,  
Anaheim, Cal., January 22, 1917.

Hon. JOHN D. WORKS,  
United States Senate, Washington, D. C.

DEAR SIR: In regard to the Federal reserve bank act, it has occurred to the writer that you might consider some suggestions from the country bankers' view of these changes.

Up to the present time the Federal reserve bank act, although undoubtedly an improvement over the former national-bank act, has not accomplished what was expected of it, nor will it do so until the great majority of State banks and trust companies come under it also.

Up to the present time there have been more national banks liquidated and gone out from the national system than State banks which have joined it. In a recent number of the American Bankers' Magazine there were 135 banks reported organizing in the United States, 123 under State charters and 12 under national charters. There are about 35,000 banks in this country, over 7,000 national, or a little better than an average of 20 per cent, yet not quite 10 per cent of new banks organizing are coming in under national charters.

The management of the twelfth Federal reserve district is at present adopting a peculiar method in regard to the "free-check" collection system. Now, I wish to state that the banks of which I am in charge have never charged exchange on their customers' checks, although this custom is a source of considerable profit, and is a legitimate source of revenue on account of expense connected with the handling of these checks. Take Arizona, for instance. I understand the banks in that State offered to clear customers' checks at a rate of \$1 per thousand. This the twelfth reserve bank refused to consider, but is sending checks for clearing on Arizona banks and other places through Wells-Fargo Express, and is paying the express company about \$2.75 per thousand for this free collection, and on points not reached by the express company are allowing the banks which do collect on these outside points a fee for the collection. Although this may not amount to a very great sum, we who do clear free of charge are also paying our proportion of the expense incurred on these "free clearings" through the express company. The point is the reserve bank is not willing that the banks shall make a legitimate profit for doing this clearing, but is perfectly willing to pay the express company much more for the same service. This "free" clearing of customers' checks is a boon to eastern mail-order houses and a detriment to local merchants.

The suggested amendment offered by the Federal Reserve Board of reducing the reserve required of country banks from 12 to 7 per cent is a move in the right direction. This reserve being all held in the Federal reserve bank and coin in the members' own vaults, doing away with the duplication of reserves as formerly practiced, makes certainly a much stronger financial condition, and is ample security. Another amendment should be made favoring country national banks, say, in cities up to 25,000 inhabitants, permitting the loaning of time deposits on mortgages on both town property and farms up to two-thirds to three-quarters of their time deposits. If this were done national banks would not find it necessary to carry a State savings-bank organization, as most of us are now doing, and would immediately bring about the liquidation of a large proportion of the savings banks now owned by national banks, and would, I believe, materially increase the business of the Federal reserve banks. The writer has been in the banking business since 1895, and in every panic has always found a ready sale for good mortgages when absolutely nothing could be realized from so-called short-time loans secured by collateral and other personal security.

This last idea of permitting a larger percentage of time loans on real-estate mortgages I have discussed with Mr. Perrin, who, I believe, was the real author of our present Federal reserve bank act, and he agreed with my views.

Thanking you for your consideration of the above suggestions, I remain,

Very truly, yours,

C. E. HOLCOMB, President.

#### PETITIONS AND MEMORIALS.

Mr. ASHURST. I present a resolution of the Legislature of Arizona, which I ask may be printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the resolution was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

THIRD STATE LEGISLATURE,  
SENATE CHAMBER.

Senate memorial 3.

To the Senate and the House of Representatives of the Congress of the United States of America in Congress assembled:

Your memorialist, the Third Legislature of the State of Arizona, in regular session convened, respectfully represents—

That of the 73,000,000 acres of land comprising the State of Arizona, approximately one-half are reserved by the Government of the United States;

That over these reserved lands the State of Arizona exercises no supervision nor jurisdiction;

That 20,000,000 acres of these lands are reserved by the Government of the United States to the use and benefit of the Indian peoples in the State of Arizona;

That these Indian reservations are so situate as to prevent a systematic development and extension of county, State, or national highways without the cooperation and assistance of the Government of the United States;

That the Congress of the United States in enacting a most beneficent national road law has wholly failed to make any provision for the construction and maintenance of highways over and upon the lands reserved by the Federal Government to the use and benefit of its Indian wards.

Whereas adequate transportation facilities are a vital factor in the prosperity and civilization of any country, and are essential to the development of its agriculture and manufactures, to the working of its forests and mines, and to the spread of education and enlightenment among its citizens; and

Whereas the public roads of Arizona are for a large percentage of her citizens, and especially for the 42,000 Indian wards of the Federal Government, the only avenues of transportation leading from the point of production to the point of consumption or rail shipment, and these avenues are only now in the process of their development; and

Whereas a very large portion of the State of Arizona is held in reserve by the Government of the United States to the use and benefit of its Indian wards, and these reservations are so situated as to prevent any economic or systematic road-building activities on the part of the State government, as continuous highways are rendered impracticable; and

Whereas a further inequity results from the fact that traffic in its development takes no account of reservation and State boundaries, and the State government is powerless to provide for the extension of its highway system through the adjoining and intervening reservations; and

Whereas the improvement of highways should be commensurate with their importance, and a system of highways upon the Indian reservation in Arizona would form the only avenue by which the Indian nations could transport their products to a market or over which the many thousands of tourists from all parts of the United States could pass to view the marvelous beauties of our natural wonders, the ruins of a civilization old and forgotten before the first prehistoric mound builder raised his primitive altar to an unknown god, and the pastoral and communal tribal life of Indian tribes to-day whose customs and laws antedate the coming of the Spanish conquistadores in search of their fabled city of gold: Therefore be it

*Resolved by the senate and the house of representatives of the Legislature of the State of Arizona.* That the development of the material resources of the Indian peoples of Arizona can best be furthered, their material prosperity best enhanced, their education and civilization more readily achieved, and that close association with civilization which has proved to be the efficient means of equipping them to share in the responsibilities of life most certainly assured by means of highways constructed and maintained over and upon the lands reserved by the Government of the United States to their use and benefit; and be it further

*Resolved.* That the Congress of the United States be, and it is hereby, urged to enact any legislation which may be necessary to provide adequate appropriations for the construction and maintenance of highways over and upon Indian reservations in Arizona joining to and in conjunction with the system of State highways.

*Resolved further.* That a copy of this memorial and these resolutions be forwarded to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives, the Secretary of the Interior, and to the Representatives of Arizona in Congress; and that our Representatives in Congress be, and they are hereby, requested to do all in their power to accomplish the enactment of such legislation.

Passed the senate January 20, 1917, by the following vote: Eighteen ayes, no nays, one absent, none excused.

D. H. CLARIDGE,  
President of the Senate.  
C. P. HICKS,  
Secretary of the Senate.

Passed the house January 22, 1917, by the following vote: Thirty-three ayes, no nays, two absent, none excused.

A. A. JOHNS,  
Speaker of the House of Representatives.

Attest:

SAM. W. PROCTOR, Chief Clerk.

Mr. KENYON presented the petition of Liston McMillen, of Oskaloosa, Iowa, praying for mediation of international difficulties and suggesting a method of procedure, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Iowa Yearly Meeting of Friends, praying for national prohibition, which was ordered to lie on the table.

Mr. THOMPSON presented a petition of the Wyandotte County Woman's Christian Temperance Union, of Kansas City, Kans., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Neodesha, Kans., praying for the enactment of legislation to provide for the reclassification of postal employees, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Fravel, Kans., praying for the enactment of legislation to exclude liquor advertisements from the mails, which was ordered to lie on the table.

Mr. STONE presented a petition of Farragut-Thomas Post, No. 8, Grand Army of the Republic, Department of Missouri, of Kansas City, Mo., praying for the passage of the so-called Civil War volunteer officers' retirement bill, which was ordered to lie on the table.

He also presented a petition of the St. Louis (Mo.) Branch of the Woman's Auxiliary to the Railway Mail Association, praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Queen City Lodge, No. 363, International Association of Machinists, of Springfield, Mo., praying for Government ownership of all great public utilities, which was referred to the Committee on Interstate Commerce.

Mr. PHELAN presented a petition of the Chamber of Commerce of Marysville, Cal., praying that an appropriation be made for the construction of a post-office building at Marysville, Cal., which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Cannerymen's League of California, of San Francisco, Cal., praying for the enactment of legislation to provide for the standardization of food products, which was referred to the Committee on Agriculture and Forestry.

Mr. POINDEXTER presented the memorial of S. T. Campbell and sundry other citizens of Saratoga, Wash., remonstrating against any change in second-class postal rates, which was referred to the Committee on Post Offices and Post Roads.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 8044) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act (with accompanying paper); to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. MYERS:

A bill (S. 8045) regulating sale of timber on forest reserves in Montana; to the Committee on Public Lands.

By Mr. SHEPPARD:

A bill (S. 8046) for a launch basin, quarantine station, Galveston, Tex.; to the Committee on Appropriations.

A bill (S. 8047) for rural sanitation under supervision of Public Health Service; to the Committee on Public Health and National Quarantine.

A bill (S. 8048) to promote the improvement of rural education; to the Committee on Education and Labor.

A bill (S. 8049) for improvement of San Antonio Arsenal, San Antonio, Tex.; to the Committee on Military Affairs.

By Mr. NORRIS:

A bill (S. 8050) providing for the establishment of a bathing beach at the Tidal Basin, in the District of Columbia.

Mr. NORRIS. Mr. President, I am somewhat in doubt as to what committee this bill should be referred, though I know the committee to which I think it should be referred is the Committee on the District of Columbia.

The VICE PRESIDENT. The Chair supposes the bill should be referred to that committee.

Mr. NORRIS. My own idea is that it ought to go to the Committee on the District of Columbia, although the place for the location of the bathing beach to which the bill refers is under the control of the War Department. I have no objection to the reference of the bill to any appropriate committee, but it seems to me it should be referred to the Committee on the District of Columbia, although that committee has, as a matter of law, no jurisdiction over the Potomac Park, where the Tidal Basin is located. It will, however, be satisfactory to me to have the bill referred to the Committee on the District of Columbia. If there should be any objection to that reference, later on it can be changed.

The VICE PRESIDENT. The bill will be referred to the Committee on the District of Columbia.

By Mr. NORRIS:

A bill (S. 8051) granting an increase of pension to Lucretia Whitt; to the Committee on Pensions.



By Mr. SHAFROTH:

A bill (S. 8052) to authorize the employment of Federal prisoners on public roads within the States; to the Committee on the Judiciary.

By Mr. MARTIN of Virginia:

A bill (S. 8053) granting an increase of pension to Mary E. A. Winans (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 8054) for the relief of the estate of John C. Phillips, deceased; to the Committee on Claims.

By Mr. SHIELDS:

A bill (S. 8055) providing that the Panama Canal rules shall govern in the measurement of vessels for imposing tolls; to the Committee on Inter-oceanic Canals.

By Mr. POINDEXTER:

A bill (S. 8056) for the relief of Albert J. Weber (with accompanying papers); to the Committee on Claims; and

A bill (S. 8057) granting an increase of pension to Oliver W. Davis (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 8058) for the relief of Lieut. Commander Jerome E. Morse, United States Navy, retired (with accompanying papers); to the Committee on Naval Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment providing that no letter, postal card, circular, newspaper, pamphlet, or publication of any kind containing any advertising of spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind, etc., shall be deposited in or carried by the mails of the United States, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19410), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

Mr. NORRIS submitted an amendment proposing to reduce the appropriation for purchase and distribution of valuable seeds from \$243,720 to \$50,000, intended to be proposed by him to the Agricultural appropriation bill (H. R. 19359), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

#### PUBLIC BUILDINGS.

Mr. LODGE submitted an amendment intended to be proposed by him to the public-buildings bill (H. R. 18994), which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

#### RIVER AND HARBOR APPROPRIATIONS.

Mr. NELSON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill (H. R. 20079), which was referred to the Committee on Commerce and ordered to be printed.

#### FLOOD CONTROL.

Mr. KENYON submitted an amendment intended to be proposed by him to the bill (H. R. 14777) to provide for the control of the Mississippi River and of the Sacramento River, Cal., and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

#### INDIAN APPROPRIATIONS.

The VICE PRESIDENT. Is there further morning business? If there be none, the morning business is closed.

Mr. ASHURST. I ask unanimous consent that the Senate proceed to the consideration of the Indian appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 18453) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1918.

The VICE PRESIDENT. The pending amendment will be stated.

The SECRETARY. The pending amendment is the amendment reported by the Committee on Indian Affairs, on page 29, line 17, after the word "improvements," to strike out "\$2,000; in all, \$16,860," and to insert "\$4,000; in all, \$18,860," so as to make the clause read:

For support and education of 80 Indian pupils at the Indian school, Kickapoo Reservation, Kans., including pay of superintendent, \$14,860; for general repairs and improvements, \$4,000; in all, \$18,860.

The amendment was agreed to.

The next amendment was, under the head of "Michigan," on page 29, after line 19, to strike out:

Sec. 7. For support and education of 400 Indian pupils at the Indian school, Mount Pleasant, Mich., and for pay of superintendent, \$68,800; for general repairs and improvements, \$6,000; in all, \$74,800.

And in lieu thereof to insert:

Sec. 8. For the support and education of 400 Indian pupils at the Indian school, Mount Pleasant, Mich., and for pay of superintendent, \$68,800; for general repairs and improvements, \$6,000; for purchase of additional land, \$8,000; in all, \$82,800.

Mr. SMITH of Georgia. Mr. President, does that amendment propose an increase?

Mr. ASHURST. It does.

Mr. SMOOT. I notice that it is an increase of \$8,000, and I take it for granted that it is proposed for the purchase of additional land. Will the Senator having the bill in charge advise the Senate as to the necessity of purchasing this land at Mount Pleasant, Mich.?

Mr. ASHURST. Mr. President, I do not wish to be unkind, but I desire to say that it is very difficult to hear anything in this part of the Chamber.

Mr. SMOOT. I recognize that fact, and it is because there are so many conversations going on in the Chamber that hardly anyone can hear. I stated that the amendment offered by the committee proposes to increase the appropriation for the Indian school at Mount Pleasant, Mich., by \$8,000. I take it for granted that the increase is for the purchase of additional land at Mount Pleasant, Mich.

Mr. ASHURST. The Senator from Utah is correct.

Mr. SMOOT. Will the Senator advise the Senate as to the real necessity of additional land there?

Mr. SMITH of Georgia. And at this time?

Mr. SMOOT. Yes; particularly at this time.

Mr. ASHURST. Mr. President, this item was estimated for by the department. When the question was raised in committee, one of the Senators made strenuous objections to it; this very item was argued for some days. Finally the committee unanimously agreed to it for the reason and upon the ground that the additional 100 acres are necessary; that the land thereabout has a value of about \$100 an acre or more, that it could be purchased for from about \$60 to \$80 per acre, and that it was necessary for the use of this school. It never could be purchased, in the judgment of the committee, at any lower price.

Mr. SMOOT. The price proposed to be paid for the hundred acres would be \$80 per acre; but what I was trying to ascertain was, if the land is not purchased at this time, will it interfere at all with the school at Mount Pleasant, Mich.?

Mr. ASHURST. If the land is not purchased at this time, the committee fears that it may fall into other hands, when it would be almost impossible to purchase it. At this time the land can be purchased at a more reasonable figure than the committee hope or believe it can be acquired for in the future. For that reason we believe it would be economy at this time to purchase the land, which is needed as pasturage for the dairy cows of the school.

Mr. SMOOT. Mr. President, there may be some local conditions to justify the Senator from Arizona in saying that the land can be purchased now cheaper than it could be at any time in the future; but with the conditions existing generally it seems to me that lands are as high to-day as they will be for many years to come, with a likelihood of their being less valuable, rather than more valuable. I will ask the Senator if this matter was not presented to the committee in the other House, and did they not consider this very item?

Mr. ASHURST. Yes.

Mr. SMOOT. And did not the committee of the other House reject it?

Mr. ASHURST. That is true; but before the Senate votes let me be just enough to the committee to read the evidence, or a part of it, that moved the Senate committee in its action. I read from page 272 of the Senate hearings the statement of Mr. Meritt, as follows:

In our estimates we requested an appropriation for a dormitory, \$25,200, and for purchase of additional land, \$8,000. I stated to the committee that we would forego the request for the dormitory until next year, if you would allow us the \$8,000 for the purchase of the land this year. We have at the Mount Pleasant school 320 acres, of which 25 acres are occupied by buildings and yards; 32 acres are woods, and 16 acres in orchards. The land available for agricultural purposes or pasturage is also used—178 acres are under cultivation and 69 acres are used for pasturage. Eighty acres of land are offered at \$100 per acre, and although this land is within the city limits of Mount Pleasant, the price asked is no more than that asked for farm land farther away. The land is located immediately in front of the buildings of the Mount Pleasant school and it is very much needed.

That is the evidence.

Mr. SMITH of Georgia. Mr. President, the Senator from Arizona says that this item has been estimated for. Those of us who are at all familiar with the Indian Service know that the Commissioner of Indian Affairs and his assistants become self-centered in their work and naturally ask for everything that they think will in any way help them. We can not therefore follow the estimates of that department. The department asks for any-



thing that it thinks will do any good, and we can not give everything that would be useful. We are obliged to consider the other charges upon the Treasury and to limit our appropriations to a fair distribution of what we have to distribute. I hope the amendment will not be adopted.

Mr. SMOOT. Mr. President, this is not an immediate requirement; the matter can go over until next year. The testimony shows that it is proposed to pay \$100 per acre for this land, and there are 80 acres intended to be purchased. The school has 320 acres of land now.

Mr. SMITH of Georgia. That is a splendid farm.

Mr. SMOOT. It does seem to me with only 300 students—that being over an acre apiece—that that quantity of land would be sufficient at least for this year. Mr. President, I hope the amendment will not be agreed to.

Mr. ASHURST. I call for the question on the amendment, Mr. President.

The VICE PRESIDENT. The question is on agreeing to the amendment. [Putting the question.] The yeas seem to have it.

Mr. GRONNA. I call for a division on the adoption of the amendment, Mr. President.

The question being put, on a division the amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, under the head of "Minnesota," on page 30, after line 4.

Mr. ASHURST. Mr. President, I ask the attention of the Senator from Minnesota [Mr. NELSON] at this time. The junior Senator from Minnesota [Mr. CLAPP] has requested that the Minnesota items be passed over until he can reach the Chamber. I will ask if that is satisfactory to the Senator from Minnesota?

The VICE PRESIDENT. The Senator from Arizona requests that the Minnesota items be passed over. In the absence of objection, that course will be pursued.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs, as stated by the Secretary, was, on page 30, after line 18, to insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to accept the application of Richard Daeley to enter lot 8, section 31, township 147 north, of range 30 west of the fifth principal meridian, Cass Lake, Minn., land district, containing 1½ acres, more or less, according to the Government survey thereof, as assignee of Evaline Gallagher, widow of Edward S. Gallagher, and to issue patent thereon to said Richard Daeley upon proof of his compliance with the requirements of the law and regulations issued thereunder relative to making soldiers' additional homestead entries.

The VICE PRESIDENT. The Chair understands that all the Minnesota items are to be passed over?

Mr. ASHURST. That amendment may be agreed to; but I will ask that the remainder of the Minnesota items go over until the junior Senator from Minnesota, who is a member of the committee, is present.

Mr. SMOOT. Let this item go over also.

Mr. ASHURST. Very well.

Mr. McCUMBER. Mr. President, is there any necessity for this amendment going over? Let me explain what the amendment is.

Mr. ASHURST. Then, this amendment can be agreed to.

Mr. McCUMBER. Do I understand that the Richard Daeley amendment has been agreed to?

The VICE PRESIDENT. It has not as yet been agreed to.

Mr. SMOOT. I should like to have the Senator explain what that amendment is.

Mr. McCUMBER. I will do so very briefly, if the Senator will allow me. It affects 1½ acres of land, comprising the point of a little peninsula running out into Cass Lake.

When the reservation there was opened up for settlement under the homestead laws, it was presumed that all of the homestead laws would apply to that land, including the laws governing soldiers' homesteads. One Richard Daeley made application to enter this little tract of 1½ acres of stony land—I do not suppose it is worth much for agricultural purposes—and built a house thereon at a cost of about \$700, as I now remember. The local office accepted his application, but when it came to the General Land Office, that office decided that this land was not subject to the soldiers' additional homestead scrip, and held it open for cancellation. I think their decision was right; but I called at the office of the Secretary of the Interior and asked the Secretary to hold the matter open until I could secure the passage of a special bill for the relief of Mr. Daeley. He did so. That was in 1915. A bill was drawn, which the Secretary recommended, and it was passed by the Senate. It was then reported favorably by the Committee on Public Lands in the other House, and it has been there for a year on the calendar, but we do not seem to be able to have it acted upon.

There is no appropriation involved in the amendment. It is simply designed to allow a man who has placed \$600 or \$700 in the way of improvements on a little tract of 1½ acres that is not worth anything to anyone else to complete his application.

Mr. SMOOT. Were these Indian lands, I will ask the Senator?

Mr. McCUMBER. They were Indian lands, but were thrown open to settlement.

Mr. NELSON. Mr. President, may I ask where the land is located?

Mr. McCUMBER. On Cass Lake.

Mr. NELSON. There is no iron ore in the land, is there?

Mr. McCUMBER. No. As I understand, it is just rocks. I did have a photograph of it, but I do not find it in my desk.

Mr. SMOOT. Evidently the entry was not made by Richard Daeley, but by Edward S. Gallagher, as I understand.

Mr. McCUMBER. The entry was made on soldiers' additional scrip, which can be assigned, and Mr. Daeley purchased the scrip for the land.

Mr. SMOOT. I have no objection to the amendment.

Mr. McCUMBER. The land is worth very little.

Mr. GRONNA. Mr. President, I will say to the Senator from Utah that this land was acquired by Mr. Daeley for the purpose of building a summer cottage. He has made improvements on it to the amount of about \$1,500. The amendment is recommended by the Secretary of the Interior, and there is no objection to it from any quarter, as I understand.

Mr. SMOOT. I have no objection to it.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs, as stated by the Secretary, was, on page 35, after line 16, to strike out:

For support and civilization of Indians at Flathead Agency, Mont., including pay of employees, \$20,000, of which amount not exceeding \$4,500 shall be expended for salaries.

And insert:

For support and civilization of Indians at Flathead Agency, Mont., including pay of employees, \$20,000, of which amount not exceeding \$1,000 may be expended for the purchase of two automobiles, and not exceeding \$4,500 of which shall be expended for salaries."

Mr. NELSON. Mr. President, what action has been taken in regard to the amendments on pages 32, 33, and 34?

The VICE PRESIDENT. The Minnesota items were passed over.

Mr. NELSON. I wish that they might be proceeded with. I do not care about having them go over. They are amendments suggested by my colleague [Mr. CLAPP]. He has no opposition to them, and I am satisfied with them.

Mr. ASHURST. If the Senator will pardon me, the reason I made the request that the Minnesota items go over was because the junior Senator from Minnesota [Mr. CLAPP] sent word to the chairman of the committee asking that the Minnesota items go over until he could be in the Chamber. That was the only reason for the request. I am willing, however, to go ahead.

Mr. NELSON. Very well, let them be passed over.

The VICE PRESIDENT. The question is on agreeing to the committee amendment last stated by the Secretary.

Mr. LANE. Mr. President, before we proceed further with the discussion, there are a number of Senators here who seem to be under the impression that a great deal of the money provided for the conduct of the affairs of the Indians is being wasted. They are right to a great extent. Much of it, nine-tenths of it, in my opinion, is being wasted.

Mr. THOMAS. Our impression is your conviction.

Mr. LANE. But Senators are not attacking the right items.

Mr. SMITH of Georgia. Then show them to us.

Mr. LANE. I will endeavor to do so. Among them are the items for the support and civilization of the Indians. The Indians are receiving no support, except in cases where they are actually going hungry or starving, and then the relief accorded them is but meager and seemingly rendered grudgingly and to avoid the publicity and criticism which it would bring to the bureaucratic system. They are thrown upon their own resources, under the theory that the Indian must be compelled to do business as the white man does it, and adopt the white man's ways, and after a while become self-supporting, the while he is given no opportunity to do so. He is restricted to the reservations upon which he has been located. He is not given a plow or a harrow or supplied with anything with which to carry on the work of a farmer. He is put to farming. I presume, for the reason—I know of no other—that an Indian can not become a successful farmer. They were never farmers;



they are not fitted for that kind of life; and, as I have said, until quite recently they were given nothing with which to farm. So far as the great majority of the Indians are concerned, they have not become civilized. The condition of the Indian, as a rule, is deplorable throughout the country. They live under the most wretched circumstances. That condition may not exist in the case of the Indians referred to in the amendment last read, but we found, in checking over matters in regard to schooling, that even the Cherokees in North Carolina, one of the oldest and best known tribes of Indians in the East near here, have no school facilities for quite a number of their children, and so they have not been civilized to the extent of acquiring a common-school education; and as you go west the condition is still worse.

Not one cent of the money appropriated by many of these items goes to the benefit of the Indians, but is devoted to the employment of a large number of white men and women, who are well-meaning, honest, and good people, I think, as a rule, although a great many weaklings are found among them. They are so circumscribed, however, that they are under the penalty of losing their places if they go too far or take the initiative in the effort to change and shape conditions, in order to get them on a proper basis or reorganize them for the better. Under these circumstances the people who really have the interests of the Indians at heart become discouraged and soon leave the service, and the Indians are left to drift along in the old, old way, which has been followed for years with ill results to our helpless wards.

The Senator from Montana [Mr. WALSH] brought out in some hearings in connection with one tribe of Indians in his State—and after a while I intend to read something from what the Senator said in connection with some general remarks I intend to make on the subject—that the condition of one tribe—yes, and he might easily have said, just as truthfully, many others, but at least one great tribe of Indians on a reservation in his State—had deteriorated; their birth rate was dropping off and they had no opportunity whatever to make anything of themselves. With large holdings of land worth millions of dollars, some of it the best land in the State, land that would grow 40 bushels of wheat to the acre, the Indians were without a bushel of wheat for seed and without plows to break the ground or any opportunity to cultivate it. To such an extent are the Indians restricted in that State that one Indian living in a district is forbidden to cross into another district on the same reservation without a written permit from the farmer or the superintendent. He is practically "a ticket-of-leave" prisoner and is forbidden to go for groceries or even to go to see his mother if she is sick, or to go to look at the tribal herd of cattle, or to cross the line for any purpose whatever without this written permit; and if he is bold enough to go without it, they can and do jail him. They have assumed the right and power to do it, and they do do it. They thus keep the Indian tied down in his little, narrow, restricted district, without the right to consult with his fellow Indians as to what will be a good course or a bad one to pursue in betterment of the conditions. Councils among them are forbidden. It is a system of petty tyranny. They are said to be discouraged from writing, and I am told are made afraid to write to you or any Senator here about their grievances, or relate the tale of the wrongs that are visited upon them.

These are some of the wrongs which we authorize in this bill. I am going to go through a lot of it after a while. Those are the items that ought to be stricken out. They are all estimated for by the people who expend the money without any restriction, practically without any check. No inspector dares go and tell the exact truth about conditions and put himself upon record—at least, I know one who did, and he lost his place for doing so. So it drifts along and drifts along. It is the most contemptible legislation that comes before us. It would not matter so much if we took the money and spent it for picture shows for the Indians, or threw it away, for that matter; but the effect that it produces upon a lot of ignorant, unfortunate, and helpless people is of incalculable damage.

Mr. CURTIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Kansas?

Mr. LANE. I do.

Mr. CURTIS. Will the Senator permit me to ask him if one of the tribes to which he refers in Montana is not the one where some \$980,000 has been expended on an irrigation project?

Mr. LANE. That is one of them.

Mr. CURTIS. And an item of \$25,000 is carried in this bill for the continuation of the same project.

Mr. LANE. That is to keep it in repair.

Mr. POINDEXTER. I should like to inquire how much land is irrigated as the result of that expenditure of \$980,000?

Mr. LANE. Maybe 40 acres, or 100 acres. There might be a couple of hundred acres; I do not know; but it is a mere bagatelle.

Mr. CURTIS. Sixteen hundred acres.

Mr. LANE. I do not know just how many acres it is, but the project covers thousands of acres. The water is running there freely. I have been on those ditches; but the Indian can not use them. It would require on his part sufficient capital to build him a house, barns, and fences, to purchase farming implements, and to have the stock required to farm and cultivate his land. He has not a 10-cent piece, nor any way to get it.

Why, a year or two ago, after this money had been expended for those Indians, there were 800 little children there without school facilities, not even learning the English language except as they picked it up. They were so close to starvation that they were eating prairie dogs, and had cleaned the reservation pretty well out of them. When they could get it, they were glad to get a skunk to eat. That odoriferous article of diet was considered a luxury by them; and I tell you when you get hungry enough, and if the day should come when you do, you will eat skunk and thank God for skunks; and they were in that condition.

We have been civilizing them for fifty-odd years. Nobody can successfully dispute any statement I make with regard to them. They can dispute it, but I can prove it. I have checked it up, and it was reported upon by the special Government inspectors who were operating at about that time, or had been, under our commission of inquiry in regard to the affairs of the Indians; and it was as a member of that commission that I visited this reservation. There has been no improvement. There is no hope for the Indians under this method. The only thing to do, and the thing that it is our duty to do, is to change the system.

I am not here to say that the heads of departments are dishonest or that they are criminals; but under them there has grown up a method of treating the Indian that is criminal, and if it were traced down it would be found that amounts running up into millions of dollars, if you please, have been wasted—criminally wasted.

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from North Dakota?

Mr. LANE. I yield to the Senator.

Mr. GRONNA. I want to ask the Senator from Oregon if he has found that the Indians have protested against expenditures, either out of their own funds or out of the Treasury, where appropriations have been made for school purposes? Is it not true that the protest they are making is a protest against the vast expenditure of money for irrigation purposes, which they claim is of no benefit to them?

Mr. LANE. Yes; that is true. They have protested that. They protest the system itself. They protest the fact that Congress appropriates money for putting over them a lot of little tyrants or tyrannical rulers that make their lives unhappy and lead them nowhere. They have submitted to me a bill asking to be relieved, and I am going to present it after a while as a substitute for this; and if it could be passed you would not have to spend \$200,000 to inaugurate the system which they think, and which looks to me reasonable, would do away with this one and give them an opportunity to carry on their own affairs.

I know of one Indian in Oregon who is quite a wealthy stockman, a man who can go to any bank in that part of the country, and get all the money he wants or all that he can use, and does it; and everybody knows him and likes him and respects him. He has a fine ranch, and yet he is one of these restricted people. They can at any time take the property which he has made without one particle of help from the Government and put it under their charge, and not let him buy a can of tomatoes, if you please, or a blanket without their permit; and they will do it, too, if he ever rises up and questions the method of administration of these affairs, or if he dares go to them and say, "Here, why don't you let my business alone? I am a better business man than you, and it is proven by the results. Look at your property and then look at mine; and I am going on to do as I please." They will clap him right into jail and put restrictions about him, and break him and his spirit in that way.

Mr. POINDEXTER. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Washington?

Mr. LANE. I yield to the Senator.



Mr. POINDEXTER. The Senator is on the Committee on Indian Affairs and has studied this subject for a number of years. I should be very much interested in hearing his suggestions as to the general policy that ought to be pursued toward the Indians. In that connection I should like to ask the Senator if he thinks any harm would be done if we should abolish the entire Indian Service?

Mr. LANE. Why, it would be the greatest godsend in the world to the Indians, and it would save the whites of the country millions and millions of dollars of expenditure every year.

Mr. POINDEXTER. Is the Senator prepared to say what the result would be if we simply quit this business of appropriating money for Indian affairs and just defeated the Indian appropriation bill?

Mr. LANE. That would be a good thing to do, and I am working to that end now. I am going to do more.

Mr. SMITH of Georgia. Mr. President, I should like to hear from the Senator from Washington on that subject. Do I understand that he concurs with the Senator from Oregon?

Mr. POINDEXTER. I am not prepared to say that I will go at one step to the length which the Senator from Oregon proposes; but I do concur with the Senator from Oregon in the general criticism that there is a vast amount of needless and worse than needless expenditure of money in the administration of Indian affairs. Too large a percentage of the appropriations of the Government for Indian affairs goes in what is called overhead charges. The expense of administration eats it up.

From contact with certain Indian affairs in my State, and observation of reservations there, I concur in the opinion stated by the Senator from Oregon that little progress is being made toward the betterment of the Indians as a whole. I had not expected to make any formal statement on the question now, but my impression is that the Indian Service, in certain branches of it which I have observed, is not desirous of bringing the Indian to a self-supporting basis. My impression is—and it is a fixed opinion, based upon long observation—that in certain branches of the Indian Service the desire and purpose is to keep the Indian perpetually in a state of tutelage.

Mr. SMITH of Georgia. For the purpose of maintaining, I presume, an opportunity to continue to supervise him?

Mr. POINDEXTER. That is the natural inference.

Mr. SMITH of Georgia. I wish to say this, Mr. President: Twenty-odd years ago, after giving a good deal of study to this subject, I thought that in less than 10 years we would be able to terminate the Indian Bureau; and there did seem to be some progress made at that time in the direction of putting the Indians in a status where they would be required to be self-dependent and self-supporting.

Mr. THOMAS. Mr. President, this discussion is somewhat general, because, as I understand from the Senator from Oregon, the several appropriations which the bill contains for the support and civilization of Indians are appropriations the moneys of which seldom accomplish the end desired. From what I have been told by one of the members of the Committee on Indian Affairs, it would seem that this criticism can be applied to the appropriations for continuing the construction of irrigation systems, and particularly in the State of Montana. I am told that something like a million dollars have been expended in the construction of the irrigation systems on the Blackfeet Indian Reservation. This bill carries, on page 37, an added appropriation of \$25,000, to be immediately available, and which presumably is designed to operate the system as far as it has been constructed rather than to increase the system itself or add to the system itself.

I was informed, much to my surprise, by one of the members of the committee who is not present, that thus far the land reclaimed amounted to about 23 acres. The Senator from Oregon informs me that about 600 acres have been placed under water and are susceptible of irrigation. Upon the assumption that a million dollars have been expended for the purpose, we have an aggregate tax per acre of \$1,333.33 for placing water upon it. I do not pretend that this is an average—

Mr. LANE. Mr. President, if the Senator will allow me, at the time I visited the reservation there was about that amount under irrigation. The Senator from Kansas [Mr. CURTIS] informs me that later this year there were about 1,600 acres under irrigation.

Mr. THOMAS. Sixteen hundred acres. Well, even at 1,600 acres the cost per acre is about \$625, and that is prohibitive. It would be far better to buy land somewhere, even as expensive land as the lands of Michigan are, and for which an appropriation is made to acquire an additional quantity, than to squander any more of the people's money upon such schemes as this.

It is true the bill provides that the money shall be reimbursable. I do not think that means anything, however. It can not if the initial cost of making the land cultivable is anything like what seems to be the case.

The bill contemplates that the Government will receive its advances back from profits to be realized upon the reclaimed land under process of cultivation. That furnishes but a poor prospect for any return of the money to the Treasury. The remedy may be the abolition of the Indian Bureau, as suggested; and I am quite satisfied that we would lose nothing by abolishing it and starting over again. The new method of administration might not be entirely satisfactory; but assuming the truth of what is charged here with regard to the manner in which these appropriations are applied, we certainly can not be any worse off by making the radical change in Indian administration which is suggested by the Senator from Oregon.

As I stated yesterday, we have expended something like \$246,000,000, if I am correctly informed, in the last 15 or 20 years for the support and civilization of the Indian. The Senator from Oregon knows how he has been supported. We all know how he has been civilized. Query: If it has cost in 20 years \$246,000,000 to support and civilize the Indian up to this date, what will be the aggregate cost to the Nation when he is fully supported and completely civilized?

Mr. WALSH. Mr. President, this discussion is rather remote from the particular item under consideration, but I desire to make a brief statement in connection with the Blackfeet project, lest the Senator who has addressed the Senate might have left an erroneous impression concerning it, arising from his unacquaintance with the facts in relation to that project.

Mr. THOMAS. Mr. President, I called attention to this particular item because of the fact that both Senators from Montana were in the Chamber. My information may be incorrect, but I stated that I obtained it from members of the committee.

Mr. WALSH. I feel, in justice to the Senate, that a brief statement in relation to the matter ought to be made.

The Congress passed an act in the year 1907 which provided for opening the Blackfeet Reservation to settlement. It was contemplated in that act that certain of the lands thus to be opened to settlement, together with lands to be selected by the Indians as their allotments, would be irrigated; and appropriations were made from time to time and expended until, as stated by the Senator from Colorado, a million dollars, or thereabouts, had been expended upon that project. At the same time, Mr. President, the Flathead Reservation was being opened. No one has ever heard a word by way of criticism from the Indians concerning the appropriateness of the appropriations which have been made concerning the Flatheads; but you will bear in mind that the Blackfeet Reservation has never been opened under the provisions of the act of 1907. It remains there. Everything has been done except the issuance of the proclamation by the President declaring the lands open to settlement, and that proclamation never has been issued. The department has now changed its idea about the matter, and has concluded that it would not be wise to open the Blackfeet Reservation; and consequently the lands that would be opened to settlement, that it was expected would be irrigated by this project, have never been taken up at all. Consequently there is no one to use the water which would be carried through the project except the Indians.

Now, I need not say to the Senator, because he knows it well, that some 10 or 15 years ago it was assumed and believed that much benefit would be conferred upon the Indians upon the various reservations by utilizing their money for the purpose of carrying out great works of irrigation.

A work of irrigation was projected and carried out on the Crow Reservation and a large amount of money was spent upon it, when it was discovered that the Indians will not cultivate the land. So long as the reservation remains intact there will be no return whatever from the investment and it will continue a profitless investment until the reservation is opened and settled upon by white settlers and the Indians permitted to lease their allotments to white settlers.

That is why, Mr. President, there has been no land put under irrigation under this Blackfeet project. There is nobody to cultivate the land except the Indians, and it is demonstrated that the Indians will not cultivate the lands to any great extent until they are educated in the ways of white men and in the science of agriculture much beyond the point at which they have yet arrived.

Mr. CURTIS. May I ask the Senator if he thinks the amount of land cultivated by the Indians by irrigation on the Flathead Reservation justifies this large expenditure?



Mr. WALSH. I have explained that matter so often that I feel I ought not to be called upon to do it, but I am very glad to do it.

Mr. CURTIS. Mr. President—

Mr. WALSH. Let me say now, Mr. President, that if there never was anybody to use the Flathead irrigation project except the Indians it would be utterly unjustifiable. But, Mr. President, that is not the point at all. The Indians were disposing of their lands. The Government of the United States as trustee for them determined that in their best interest it became necessary to dispose of their lands on the Flathead Reservation. Many thousands of acres of these lands were susceptible of irrigation and the Government proposed to irrigate those lands, both the lands open to settlement and the lands allotted to the Indians, and when the settler went upon the reservation under the act of Congress he had an opportunity to take lands that were open to irrigation and subject to irrigation under the project or to take lands above the project, as he saw fit. Of course, the lands under the project were appraised at a very much higher price than the lands that were not subject to irrigation. The settlers have been invited upon that project, and they have purchased the lands open to irrigation under the project at the higher price because they were to be irrigated. They have paid their money into the Treasury of the United States for the benefit of the Indians, and the project now covers those lands and covers the lands of the Indians adjacent.

I answer the Senator from Kansas, if you consider the Indian lands alone you can not justify any such expenditure, but you can not consider the Indian lands alone. You are bound to consider that the Government of the United States is obligated to those settlers whom it had invited to take lands under the project, and who were invited to take them at a figure which meant that the Government would irrigate those lands.

Mr. CURTIS. Mr. President, I agree with the Senator from Montana that an obligation is due to the settlers, and I did not intend by the question I asked the Senator to dispute that. What I wanted the Senator to consider was whether or not the number of acres that were being farmed by the Indians by irrigation justified Congress in making a large appropriation or to extend the work for them.

I asked the question because of the small number of acres now farmed by Indians on that reservation that are susceptible of irrigation. For one I think a plan should be inaugurated by the department of leasing the lands of the Indians that are irrigable or for their sale. The Senator will recall, I think, that there are about 90,000 acres of land owned by the Indians that are subject to irrigation, and yet the Indians were farming only a little over 900 acres last year. It seems to me that some plan could be devised whereby benefit could be derived from that other acreage for the Indian, and that was the idea I intended to convey.

Mr. WALSH. Mr. President, I fully agree with the Senator from Kansas. The amount of this land that is actually being cultivated by the Indian is distressingly and disappointingly small, but it will be borne in mind that many of their allotments are leased to white men who do actually cultivate them and thus a benefit accrues to the Indian. I wish it were otherwise. I wish that the Indians would more freely make use of the facilities that are thus accorded them. I join in the hope expressed by the Senator from Kansas that we shall be able to devise some system by which the Indians will be more generously encouraged to engage in agriculture.

Mr. CURTIS. Mr. President, I did not take any part in the general discussion of the bill, but I think it is hardly fair to the department to state that nothing has been accomplished in the way of education and improvement in the condition of Indian affairs. I can remember, and older Senators here can remember, that some 15 or 20 years ago the Government was expending I might say nearly a million dollars for rations for the Indians. There were some 50,000 Indians receiving rations. Many of the tribes that a few years ago were being supplied with rations are no longer supplied, and most of them are supporting themselves either from their rents or from what they get from their farms. An examination of the report will show that the income of the Indians from their farms and from their stock amounts to millions of dollars every year. The incomes of Indians last year derived from crops raised by them amounted to over \$5,000,000; from stock sold, over \$2,000,000; from native industries, over \$1,000,000; from timber cut, over \$1,000,000; from wages earned, over \$2,000,000; and from individual leases, over \$3,000,000.

I think this criticism of the department is very unfair. I do say this, and I believe it, that in some places there are more people employed than are required, but take the item referred to of \$20,000—the department has given a full itemized statement of all the money and how it is expended. Not much of that goes

to salaries. I have the report here of the expenditure of the \$20,000 referred to. Only \$4,200 is expended for salaries and wages.

I think I owe it to the Commissioner of Indian Affairs to say that much in behalf of the department.

Mr. MYERS. Mr. President, I wish to say a few words in line with what the Senator from Kansas [Mr. CURTIS] has said. I do not believe the Indian Bureau officials are governed by any such base or unworthy motives as have been charged here, or intimidated at least, on the floor of the Senate. I do not believe that the present officials of the Bureau of Indian Affairs or any of them are animated by a desire to keep the Indians forever in a state of tutelage or bondage merely to get large appropriations year after year, and in order to have the handling and disbursing of those appropriations and to perpetuate themselves in office. I do not believe the Indian Bureau officials or any of them are animated by any such purpose or motive at all. I deny it. It is an unworthy and unjust insinuation.

I believe, and in fact I know, that the present Commissioner of Indian Affairs, an honest man of honest convictions, has the best interests of the Indians at heart, although I do not fully agree with all of his ideas in handling the Indian problem. I know, though, he is conscientious and sincere in his convictions, and I believe him to be correct in most of his ideas. I believe the present Indian Commissioner has done very much for the advancement and promotion of the welfare of the Indians in this country, and that he is striving earnestly to better their condition and lead them to a better day and advance their interests. In many things he has succeeded admirably. I am not in accord with all the ideas or methods of procedure of the Indian Bureau officials, but I do not impugn their motives in the slightest degree. I believe the officials of the Indian Bureau are doing what they believe to be the best for the Indians and in large measure their efforts are having good results.

We hear complaints made here about appropriations of many millions of dollars having been made for the Indians in past years, and that they are still Indians and in their native condition. Who could expect anything different? It is a hard thing to totally change the nature of a race of people. It is a hard thing to overcome the nature of an entire nationality and metamorphose and transform them into different kinds of people. It is a hard thing to go against nature. It is a hard thing to overcome nature. It takes generations in which to do it. Undoubtedly it takes many millions of dollars and much time and great patience, painstaking, and devotion. The time, patience, painstaking, and devotion to duty the present Indian Commissioner and his assistant commissioner and corps of help are freely giving. There are some striking instances of improvement in the condition of Indians, well known to all, which negative assertions made here to-day. Look at the Indians of Oklahoma! A generation ago, tribal Indians in their primitive condition, roving, hunting, fishing, fighting. To-day, civilized, educated, prosperous; nearly all American citizens; numbered among the leading farmers, business and professional men, public officials of a great State. Have they made no advancement?

I believe that upon the whole the Indians of the country are a great deal better off than they were a generation or two ago. I believe that the progress which is being made among many of them is slow, but nevertheless substantial, and undoubtedly some progress is being made.

As to the Blackfeet Indian Reservation in Montana, mention of which has been made here, it is true considerable money has been expended for a reclamation project on that reservation. The reason why that has not resulted in more benefit and has not been productive of more results is because the Blackfeet Indian Reservation has not been thrown open to allotment and settlement, so that a good share of the land under that reclamation project could be sold to white settlers after first allotting the choice lands in sufficient quantities to the Indians, with provision for selling the balance, in order that white settlers might settle on it and utilize the water on the land and make a living for themselves and pay for their lands, the proceeds of the land to go to the Indians with which to buy cattle, horses, teams, implements, in order to farm their own lands. That has not been done. That is the reason the reclamation project has not been more beneficial.

I believe that the solution of the Indian problem and the salvation of the Indian lies in throwing Indian reservations open to allotment and settlement. I am a believer in that. I believe in throwing them all open to allotment and settlement, very soon and as rapidly as circumstances will justify. As long as the Indians are kept in their tribal relation they will remain in that primitive condition, they will be segregated from the rest of humanity, they will be herded within a wall constructed around them, separating them from the world and



keeping them in their native primitive condition, and they will not advance very much when they are thus kept. But when a reservation is thrown open to allotment and settlement and the Indians are first allotted their choice of the land, the best land to be picked, in adequate quantities for their support, on which to make homes, probably 320 or 480 acres apiece, or something of that kind, and then the balance of the land thrown open to entry and sold to white settlers who will cultivate it and mingle with the Indians and show them by example how to farm and conduct their affairs, the Indians have a better show to improve. When the white settlers pay for their land the money is put into tribal funds and expended for the benefit of the Indian or put out at interest for them, or it may be invested in live stock and tools and implements of farming for the Indians. Then the Indians advance and become citizens and become self-supporting.

Take the Flathead Reservation, in Montana, for instance. The Indians on that reservation are in a far better condition on the average than are those on the Blackfeet or Crow Reservations. The Flathead Reservation was thrown open to allotment and settlement about eight years ago, I believe, and many of the Indians there are self-supporting, many are successfully farming, having good farms and live stock. Many of them are citizens of the United States, voters who send their children to school. They are making rapid advances in civilization, in the way of becoming useful citizens and taxpayers and contributing to the support of the Government; while the Blackfeet Indians and the Crow Indians, who are kept in their tribal relations on reservations that have not been thrown open to allotment and settlement, are making little or no progress, and I believe they will continue to make little progress until their reservations are thrown open to allotment and settlement.

A bill has passed the Senate for opening a part of the Blackfeet Reservation and is now in the House, and I hope to see a bill for the opening of the Crow Reservation enacted into law at an early date. Then those Indians, the Blackfeet and Crows, will advance as the Flatheads have done.

Mr. JONES. May I ask the Senator a question?

Mr. MYERS. Certainly; with great pleasure.

Mr. JONES. I ask the Senator whether those Indians he referred to as being civilized and progressing very rapidly on a reservation in his State hold their allotments in fee simple or whether they are still restricted from selling and handling them as he and I would handle our real property?

Mr. MYERS. They are under restrictions, I believe, so that they can not alienate the land for 21 years; but if they prove to the satisfaction of the department—

Mr. JONES. What I want to ask is whether as a matter of fact they now hold their lands in fee simple.

Mr. MYERS. Many of them do. I am just describing the plan. As fast as they can prove that they are competent they can have title in fee simple to their lands, and many of them have title in fee simple.

Mr. JONES. But do they come and ask the department to have their lands in fee simple?

Mr. MYERS. Many of them do, and many get them and handle them successfully.

Mr. JONES. I want to say to the Senator that it would be very interesting to me to know about how many have done that. The reason why I say that is this: I live within 4 miles of an Indian reservation on which the Indians have had their allotments for many years. I know some of the Indians on the reservation who are very intelligent men. They are very competent business men. They have splendid homes; but they have not asked to have their allotments given them in fee simple, and they show their acumen and their wisdom by not doing it. They have not asked that it be done because they escape taxation by not having it done.

Mr. MYERS. That shows that they are advancing and getting in line with white men.

Mr. JONES. I wondered whether the Indians in Montana were as acute in business matters as some of our Indians in the State of Washington.

Mr. MYERS. Not altogether. Many of them secure their lands in fee simple.

Mr. JONES. What has occurred to me growing out of this situation has been this thought, that unless the department takes affirmative action itself looking to the granting of fee-simple titles to Indians who are reasonably competent to manage their own affairs it would be a good thing if we would direct the Secretary of the Interior to investigate the competency of various Indians throughout the country, and to those whom they found to be reasonably competent, whether they ask it or not, to issue fee-simple patents.

Mr. MYERS. That might be a good idea.

Mr. LANE. I should like to say that I did not intend to criticize the personnel—

Mr. MYERS. Just a minute, please. Will the Senator pardon me? I was not referring to anything the Senator from Oregon said. In my remarks I had in mind other Senators who referred to the large amount of money that had been appropriated for the Indians for many years past. The Senator from Washington [Mr. POINDEXTER] made the assertion that many millions of dollars had been expended on the Indians of the country by the Indian Bureau, and said it had resulted in no improvement in their condition. The Senator from Georgia [Mr. SMITH] suggested—I will not say he charged, but I thought he intimated—that the Indian Bureau was encouraging that state of affairs just to get to keep on handling the money and to perpetuate the jobs. I was not referring to anything the Senator from Oregon said. I was replying to charges, intimations, and assertions of other Senators.

Mr. LANE. All right. Mr. President, I was not criticizing the personnel as much as I was the system. Yet there are individual cases where personnel is deserving of some criticism. I was not referring particularly to the condition in Montana, and did not point it out any more than as an illustration of the condition which exists in other States as well. But the condition does exist. The comparison made by the Senator from Montana himself proves it. In the Flathead Reservation the lands have been allotted and divided, but the tribal relations, I presume, have not been abolished so much. You have superintendents and other employees in charge.

Mr. MYERS. The tribal relation is partially abolished. They have a superintendent there. A large number of the Indians are not competent, while a large number are. The superintendent's duties are in connection with those not yet declared competent.

Mr. LANE. Mr. President, there is one illustration of a people living in a rich country, on good lands, the best in Montana, and I am told about as good as we have anywhere in that section of the country, in the Rocky Mountain region. Some of those Indians have done well. They have their periods of support and civilization from the Government and its instruction in the white man's ways, and yet as much or more complaint comes from the destitution of the Indians on that reservation as from those on any other reservation of which I have knowledge. There are many more as badly off, I presume, but a lot of those Indians are said to be living off of the pickings which they can gather from the swill barrels of the white people.

Mr. MYERS. If the Senator will pardon me, I desire to say that while there are cases of destitution on the Flathead Reservation—of course, you will find Indians, as well as other people, who appear to be incompetent to take care of themselves anywhere—such cases, I think, on the Flathead Reservation are mostly those of old, infirm, and sick Indians.

Mr. LANE. There were some hearings held before the Committee on Indian Affairs in the Sixty-fourth Congress, first session, on December 6, 1915; on May 2, 6, 13, and 18, 1916; and on June 1 and 7, 1916. From those hearings I will read you a statement made by Senator WALSH in regard to the condition of the Crow Indians, in which he said that those people—and we make an appropriation for the support, maintenance, and civilization of the same Indians in this bill somewhere, or, if we do not now, we formerly did so—have an annual income of \$180,000 from their lands which are leased for grazing purposes for, say, 8 to 10 cents an acre. And, by way of parentheses, I might say that is the business management of their affairs which the Government holds to them as an illustration and to teach them how to handle their lands. Formerly they leased those lands, the unallotted lands, and at the same time they made no provision for the exemption of the allotted lands; they leased the unallotted lands to some stockman and allowed him to use the allotted land without paying one cent either to the Indian or to the Government. That went on for years, at a nominal price of from 6 to 10 cents an acre, and the Indian did not get a cent. He was not allowed to lease it himself or sell his crop to any other person, except the lessor of the land. Now, it is said here by the Senator from Montana that they have an income of \$180,000 a year from these leases, and the Senator from Montana said, "We want to continue them that way." He further said:

I will conclude this morning by inviting your attention to how desperate the thing is on the Crow Reservation as the result of the continuance of this policy. In 1885 the population of the Crows was 3,500. That was what the committee reported when they came back.

A certain committee apparently had visited those Indians.

In 1914 the population of the Crows was 1,696. There is a 50 per cent loss since 1885. In 1906 there were 1,804. From 1906 to 1914 there is a loss of over 200 population on the reservation. In



1911 there were 120 births and 83 deaths. In 1912 there were 92 births and 54 deaths. In 1913 there were 86 births and 99 deaths. In 1914 there were 69 births and 66 deaths, and in 1915 there were 56 births and 53 deaths. The births have declined since 1911 from 120 annually to 56.

The report of the Secretary of the Interior for 1906, at page 252, will give you a deplorable story about the health of these Indians, practically such as Mr. Grinnell gives you here—85 to 90 per cent of them afflicted with tuberculosis and trachoma. The Senate appointed a special committee to investigate tuberculosis and other infectious diseases among the Indians, and they made special mention of the Crow. The information will be found in Senate Document 1038 of the Sixty-third Congress, and there it is learned that of 995 examined 202 had tuberculosis and 185 had trachoma.

Senator PAGE. Do you think the condition would be improved if they were turned loose and made independent?

Senator WALSH. Well, Senator, it could not have been much worse. When it is as bad as it can possibly be under the existing conditions, we hope it will be a little better.

I may say this is a menace to our entire State.

Later on he said:

The report told you about the success that the Indians are making of agriculture; but \$1,278,181 of the funds of the Indians, derived from the sale of the ceded lands in the northeastern portion there, have been applied to the construction of the irrigation systems within the reservation. They have got a magnificent canal there, as shown on the map. The ditch is taken out right at the Big Horn Canyon and it runs down. It will be interesting to see it.

He states further on that—

The system has cost \$1,278,300. It covers 77,527 acres. It cost \$50,801.82 to maintain it in 1914, and the aggregate product of the Indians on the reservation everywhere, under the ditch and outside of the ditch, was \$43,151.

He stated further along that these are the only Indians in the United States, so far as he could learn, who really have become self-supporting and able to take care of themselves. The Senator from Montana proceeded to say that \$100,000, or about that sum, of the income of these Indians goes to pay the expense of administration and the other \$80,000 goes to the Indians in annuities, which are sometimes withheld.

The only Indians who have made good and gone ahead in a white man's business way, as shrewd, capable men, able to take care of themselves—although not highly civilized in our sense of the word—are the wildest Indians in America, the Indians who have the poorest land. They are the Navajos in Arizona and New Mexico, who raise sheep where it takes 20 acres of land to support one sheep. They were so poor that they did not attract the attention, apparently, of the Bureau of Indian Affairs—it is the system, of course, to which I refer—but they have done well, and they are the only example to which one can point of Indians, so far as I know, who really do take care of themselves, who live in peace with everybody, and who are no cost to the Government, except perhaps for a few schools.

Mr. FALL. Mr. President—

Mr. LANE. Just a moment, and then I will be through.

Mr. FALL. I merely wanted to ask a question, Mr. President, right there.

Mr. LANE. I yield to the Senator.

Mr. FALL. The Senator was referring to the Navajos of Arizona and New Mexico and to the fact that they were not costing the Government anything.

Mr. LANE. Not in proportion to their number, I should have said.

Mr. FALL. Not in proportion to their number, the Senator says. There are very large amounts appropriated in this bill which are to be used entirely in the discretion of the Indian Bureau.

Mr. LANE. That may be; I did not know that.

Mr. FALL. In the second place, if the Navajos are not supported by the Government they are supported very largely at the expense of the people of Arizona and New Mexico. The Navajo Indians have over 1,100 acres each set aside for them; but, aside from that, 9,000 of them have been located by the Government, contrary to the treaty with the Navajos, on the public lands of Arizona and New Mexico outside of the reservation.

Further than that, the Congress of the United States two or more years ago provided that no other Navajo Indians should be located upon the public lands of Arizona and New Mexico, but the President of the United States has just reserved in one county of my State some 65,000 or 70,000 acres or more by descriptions of the sections and quarter sections of land for the purpose of placing Navajo Indians upon it, contrary to the spirit and terms of the act of Congress. Of course, the Congress has not prohibited the President setting aside this land, though it has prohibited the location of Navajos upon it; but the President has now, by reservation made within the last day or two, withdrawn thousands of acres of land in McKinley County, N. Mex., which, if taken up by the white man, would pay taxes and contribute to the support of the Government—withdrawn it for the purpose of turning it over to the Navajos, although

Congress has said that no other Navajos should be placed upon the public domain.

Mr. LANE. Mr. President, I have my information largely from what has been stated in the hearings in the past, confirmed by the statement of the Assistant Commissioner of Indian Affairs, that the Navajos are more nearly self-supporting than any other tribe and that they are progressing in a financial way when compared with other Indians throughout the United States. They are Indians who have wandered the mountains with their sheep and have not been restricted to reservation life; and for that reason there is less tuberculosis, less trachoma, and less poverty among those Indians than those in any other tribe. They have learned how to handle an industry of large value, and they are pointed out as marvelous Indians for that reason. I do not know what has been done about this land lately.

Mr. FALL. Mr. President, if the Senator will allow me, the Navajos have always been herders and raisers of sheep. Even prior to the treaty which they made in 1868, they were the greatest shepherds in the United States. They have always owned very large herds, and they not only sell their wool, but, as the Senator knows, they are the manufacturers of what are known as Navajo blankets, which are noted all over the world.

Mr. LANE. I understand that. Mr. President, the Navajo is an Indian who has been allowed to pursue the line of making a livelihood to which he has been accustomed. The other Indians in the Rocky Mountain country in the West were horsemen, and they understood the handling of horses, and were naturally herdsmen of cattle also. They had never farmed, but they were put on restricted areas, and an attempt was made to teach them how to farm, the one thing about which they knew nothing and for which they cared nothing.

I am going to call attention to one habit of the Indians of the Pacific coast. It can be seen how difficult it would be for a man who for generations had bred into him such an idea to turn directly against it and adopt another plan. When an Indian grew rich in furs or dried fish or a large herd of ponies, his greatest ambition was to call a meeting of all the other members of his tribe and of the adjoining friendly tribes, and to hold what they called a "potlatch." At this potlatch the Indian gave away everything he had in the world, all his horses, his blankets, his clothing down to a breechclout, if you please, and went out without anything of value in his possession. He gave everything away, and that action brought the highest honor that an Indian could attain. That has been the custom for ages of the northern Indians, and they hold those potlatches yet. Did you ever see a community of white men holding a potlatch and giving away anything to their neighbors, just for the honor it would bring them? I never have.

Now, to take the Indians living near the Rocky Mountains, who had always held potlatches, and try to teach them to become shrewd, sharp, capable, keen traders and business men is rather a hard task, and I presume we are lucky that we have done as much with them as we have, but we can never make business men out of them until they are given the opportunity.

The Indian Bureau has grown up and become an increasing weight upon the Indians. The reservation system has outlived its usefulness, and some other method should be adopted which will give the Indian a better opportunity. They have property worth millions upon millions; yes, a billion dollars' worth of property; and yet thousands upon thousands of them are without a penny and are living under conditions which could not be printed if I were to dwell upon them. There is something wrong about the system and it should be changed.

In Montana there are thousands and hundreds of thousands of acres of good land in the reservations which is made no use of either by the white man or by the Indian with any benefit to the Indian. They are blocked to white settlement, and are of no benefit to the Indian. That should be changed. The attempt being made now by both Senators from Montana to secure this land for the use of the whites is blocked by the bureau, protests of all kinds are made, and impediments are placed in the way of that land being thrown open to the people, while the tribe on the reservation is being held under the care of men who will not, on account of rules made by the superintendent, allow the Indians to visit with one another. I think a change ought to be made; but the gentlemen who are protesting against the expenditure of money for building schools are, in my opinion, not attacking the items in the bill which are more particularly subject to legitimate criticism, and I think that those items should be criticized first.

If you will read the bill carefully you will ascertain that as to all of these items covering the whole field provision is made that the money is to be expended under the supervision



of and under such rules and regulations as may be prescribed by the Secretary of the Interior, who necessarily must take the suggestions of the very bureau which is managing these affairs in a way which has resulted in numerous instances in almost the annihilation of the Indians.

Mr. McCUMBER. Mr. President, I desire to say just a word in reference to Indian affairs in order to bring the matter to the attention of the Senate in a way, at least, so that we may to some extent comprehend what is before us as affecting the whole Indian question.

We have heard a great deal of discussion for years about making the Indian a self-supporting individual. We have had a great many lectures in the Senate about converting the red man into a white man, and we have been trying to do that for the last hundred years. The sooner the Senate and the country makes up its mind that the Indian problem is going to be an Indian problem, and not a white man's problem, and must be dealt with accordingly, I think the better it will be for us. We can not fail to recognize that the general law of evolution and the force of environment, operating for thousands of years upon the aborigines of this country, have created a race that are absolutely incapable at this time of changing their natures so as to be able to compete with the white man in this, now a white man's country.

I do not agree with those who believe that we can ever make of the North American Indian a self-supporting individual and put him in competition with the white race. Everyone who knows anything about the Indian character, as it was described a few moments ago by the Senator from Oregon [Mr. LANE] in his illustration of the Indian characteristic of giving away everything he has, realizes that he is nothing more nor less than a child of nature, absolutely incapable of holding his own against the cunning of the white race.

Now, that being the case, what is our duty? You can not make a white man out of the Indian, educate him just as much as you please. There may be cases of individualism among the Indian tribes where there would be an exception to this rule; but, looking at the question as a whole, the Indian race must be dealt with as an Indian race, and we must appropriate for them just as long as they are Indians.

What can we do to-day? We have robbed them of their lands. We have denuded their forests. We have destroyed the fish in their streams. We have made it impossible for them to gain a livelihood that was common and that was workable with them as Indians. Now, what are we going to do about it? Are we going to say that we can immediately convert them, by some bill which any Senator has in his mind, into a white race?

Mr. President, I do not know how many full-blood Indians there are in the United States. I noticed by a report yesterday that we have about 335,000 Indians altogether, and I do not believe there are more than 100,000 at the most of full-blood Indians. In the case of the rest of them there is more white blood than there is Indian blood in those that we denominate as Indians. That element undoubtedly, through the process of amalgamation, will soon be a negative quantity. They will be merged into the white race, or they will die out, as many of them are dying to-day, through the inability of the children of the mixed race to adapt themselves either to the old Indian condition or to the white man's condition.

What is our appropriation? About \$15,000,000 a year. For how many Indians? About 335,000. We are therefore appropriating about \$45 per capita for the support of the Indian population of the United States. Whatever support they have beyond that must necessarily be from their own earnings. They are therefore partially self-supporting; and all we can do under the conditions is to assist them in increasing their proportionate part of their own earnings and their own support, if they can possibly do so. But at all times we must appropriate for their support, the same as we would have to take care of an undeveloped child or a minor; and if we do not pay more than \$15,000,000 a year for the partial support of the Indians of this country, I think we are paying a mighty meager sum for what we have taken from the Indians. We owe them that duty, we owe them that support, and we ought to give it ungrudgingly; and if we can not make them entirely self-sustaining we ought not to complain because we are paying \$15,000,000 a year to assist them in supporting themselves.

I do not expect that we are ever, in our lives at least, going to escape the necessity of appropriating at least \$15,000,000 a year for the support of the Indians of this country. What I wish we would get into our minds is that we ought to do it, and we ought to do it freely, we ought to do it thankfully, for what we have taken from the Indians, and not every year grumble and find fault with the \$15,000,000 that we are paying for the support of these wards.

Mr. GRONNA and Mr. LANE addressed the Chair.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from North Dakota yield, and to whom?

Mr. McCUMBER. I think my colleague first rose. I yield to him first.

Mr. GRONNA. I want to say to my colleague that it is true that we are appropriating about \$15,000,000 for the expenses of the Indians, but not one-half of that comes out of the Treasury of the United States. I have not the figures, but I believe I am safe in saying that not one-third of it comes out of the Treasury of the United States, because a great deal more than one-half of that amount is paid by the Indians themselves. It is taken out of their funds.

Mr. McCUMBER. Then we are not really paying more than \$7,500,000, which would make about \$22.50 per capita, to take care of our Indian population.

Mr. LANE. Mr. President—

Mr. McCUMBER. I yield to the Senator from Oregon.

Mr. LANE. The amount you pay out for the actual support of the Indian, I think, is a bagatelle. It is really for the support of employees, white employees and some Indian employees, but not for the Indians themselves.

Mr. McCUMBER. Oh, Mr. President, undoubtedly there is considerable waste. There is in every other arm of the Government, and I doubt if there is any more waste in the Indian Service than in any other governmental service. We must expect that. We have found no means of escaping it so far in any bureau or in any branch of the Government. So, on the whole, we ought to be gratified that we own this country, and that we are not paying out more than \$15,000,000 a year for the support of the people from whom we took this country.

Mr. ASHURST. I ask for a vote on the question.

Mr. SMOOT obtained the floor.

Mr. FALL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Mexico?

Mr. FALL. No; I did not know that the Senator from Utah had been recognized.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. SMOOT. If the Senator desires to speak upon the question that has been before the Senate, I will yield to him.

Mr. FALL. I wish to speak only just a moment.

Mr. SMOOT. Then I will yield to the Senator, because I am going to refer to the amendment that is pending. I am not going to speak on the general bill.

Mr. FALL. I am going to speak in connection with the general subject. I merely want to say a few words with reference to the method by which we make these appropriations.

The bookkeeping methods of the department cause the greater part of the criticism. Senators can not understand the methods by which the appropriations are made up, because no one else can understand them. They are misleading; and a committee will report, I presume, in a very short time on some of these methods, having been appointed to do certain work in connection with that matter.

For instance, just to illustrate the difficulty, in the very item under consideration now there is a direct appropriation for the support and civilization of the Indians at the Flathead Agency, Mont., of \$20,000—

of which amount not exceeding \$1,000 may be expended for the purchase of two automobiles, and not exceeding \$4,500 of which shall be expended for salaries.

Now, naturally it would impress any Senator here that the entire amount embraced in this bill applicable for any purpose whatsoever to the Flathead Agency in Montana was the amount of \$20,000, as set forth here; certainly that the amount of \$1,000 would limit any expenditure upon the Flathead Agency for the purchase or repair of automobiles. That, however, is not true. With reference to this particular appropriation of \$20,000, only \$1,000 out of it can be used for automobiles; but there is no limit upon the amount which can be used at the Flathead Agency for the purchase of automobiles, except the limit of \$300,000, aside from the \$1,000; and any portion of that \$300,000, in the discretion of the Commissioner of Indian Affairs, may be used at the Flathead Agency, because there is a general appropriation in this bill for the purchase of automobiles, repairs, and so forth, of \$300,000.

Mr. MYERS. Mr. President, may I say a word?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Montana?

Mr. FALL. In just a moment. That \$300,000 is to be expended entirely in the discretion of the commissioner. Now I yield to the Senator from Montana.



Mr. MYERS. I will say that the superintendent of the Flathead Agency has informed me that he is very badly in need of two automobiles there. Last year, for some reason or other—I do not know what—by some denial of authority he was not allowed to purchase them, and in order to enable him to purchase them this provision was put in here.

Mr. FALL. That illustrates exactly the point I am making, Mr. President—that possibly the agent at the Flathead Agency did not receive the same consideration that the agent at some other agency received. If the Senator will just refer to page 14 of this appropriation bill, he will see the following provision:

That not to exceed \$300,000 of applicable appropriations made herefor for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service.

Now, the particular item as expressed in this \$20,000 appropriation is a limitation only upon the expenditure of the \$20,000.

Mr. MYERS. If the Senator will permit me to say so, that \$300,000 does this agent no good if he is not permitted any part of it.

Mr. FALL. Exactly. I am not saying that the agent is getting any more than he is entitled to. I am not undertaking to say for a moment that the agent is not entitled to his automobile.

Mr. MYERS. I understand that.

Mr. FALL. I am commenting upon the system of bookkeeping and requesting appropriations by the Indian Office in making up their estimates. That is the trouble.

For instance, Mr. President, there has been some talk here about the care of the Indians by the Government. Why, the care is rather excessive at times. For instance, I discovered this state of affairs in my own State, very much to my astonishment, because it is a new condition.

Among the other Indians in New Mexico we have what are commonly known as the Pueblo Indians.

[At this point Mr. FALL yielded to Mr. SHERMAN and Mr. SHIELDS, and, by unanimous consent, introduced bills which are found under the appropriate heading.]

Mr. FALL. I had refrained from further conversation, Mr. President, until some of the other Senators concluded. I am glad that at least I have afforded an opportunity as a clearing house for bills and reports, if my efforts were not of any other avail.

I am simply going to refer to the condition of affairs with reference to what we know as the Pueblo Indians in New Mexico, some of whom also are known as the Hopis, and others of a similar class are found in Arizona. The Pueblo Indians own their own lands. They are agricultural Indians. They were found exactly where they are found now three hundred and odd years ago, when the Spaniards first came to the country, cultivating exactly the same fields, using exactly the same irrigation ditches; and over 100 years ago they had their titles to their lands confirmed to them directly by the Spanish Government.

The United States Government had absolutely nothing to do with the Pueblo Indians, nor with their lands. The United States Government has not made a reservation for the Pueblo Indians. They own their lands by grant from the Crown of Spain. They are citizens of the United States, and have been so declared in several different decisions of the Supreme Court. They are entitled to vote if they choose to do it; but they do not, however, avail themselves of that privilege, and I do not know but that they display a good deal of judgment in the matter. They maintain their own government entirely. They elect what we call a mayor, what the Mexicans call a presidente, and the officer whom the Pueblos themselves designate as a gobernador, or a governor. They elect their own council. They settle their own law cases. Very seldom do they appeal to the law of the white man at all. Very seldom is there any necessity for such an appeal.

Each of the pueblos in New Mexico—over nine—has its own governor, its own council, and its own judge, the governor acting as judge in the cases that arise. The United States has only interfered within a very short period of time with these Pueblo Indians, in so far as affording them day-school facilities is concerned. A portion of the \$1,650,000 appropriated in this bill for Indian day schools, aside from all the other specific appropriations made for school or other purposes, is used for the Pueblo Indians in New Mexico in support of day schools. An agent or a superintendent of day schools for the Pueblo Indians is appointed. Very recently the Indian Office here in Washington, apparently not understanding a thing under heaven about the history of the Pueblos or their condition, has created of this superintendent an agent for the Pueblo Indians of New Mexico. They have no appropriation of any kind or character, except that

we maintain schools there. This superintendent is now created into an agent for the Pueblo Indians. He has invoked or resurrected an old law, under the terms of which he as the superintendent of the Pueblo Indians claims authority to appoint a judge for the Indians. He has gone to one of the pueblos and there selected a favorite of his own as a judge, overturning all the traditions and customs of the Indians, interfering unwarrantedly with them, and he takes from one pueblo 250 miles away an Indian to try him before this Pueblo Indian judge.

Each of these pueblos or settlements of Indians is as separate and distinct from the others as is one State of this Union separate from the others as a State. The Commissioner of Indian Affairs here in your city of Washington did not know that the Pueblo Indians of New Mexico did not speak the same language. He did not know that there were nine different languages spoken, and that the Pueblos could not understand one another. His superintendent apparently did not take that matter into consideration when he, overturning all their customs and traditions, as ratified by treaty, as confirmed to them by decisions of the court, himself appointed a judge for the trial of Indian cases, selecting one Indian in one pueblo 250 miles away from other pueblos, and vesting him with the power to try Indian cases arising in the pueblo 250 miles away. When I myself asked the Commissioner of Indian Affairs in Washington if he did not understand that this Indian brought from 250 miles away could not understand the language of the Indian before whom he was tried, he did not know; he thought all the Pueblos spoke the same language.

Now, this is the trouble, these are the conditions that we find, those of us who know anything about Indian affairs, when we investigate—absolute colossal ignorance existing in the Indian Office here in Washington; and never until we have some business man in charge of that department who will direct that proper estimates are made here in simple, plain language, so that the Senate committee can understand them, never until such a method of bookkeeping is established, will you meet anything but opposition when you present a hodge-podge of a bill such as this is for the consideration of the Congress of the United States.

Never will you civilize the Indian, never will you raise him very much higher in the scale of humanity, until you have some man in charge of affairs who as a business man will investigate and inform himself, and when informed act. This is the trouble with the Indians generally, and the trouble with your Indian appropriation bill at every session.

Mr. ASHURST. I ask for the question, Mr. President.

Mr. SMOOT obtained the floor.

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes.

Mr. MYERS. I ask unanimous consent that the unfinished business be temporarily laid aside for the consideration of the Indian appropriation bill.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside for the consideration of the Indian appropriation bill. The Senator from Utah.

Mr. SMOOT. Mr. President, the amendment proposed by the committee to the provision adopted in the House increases the appropriation \$1,000, and that \$1,000 is to be expended for the purchase of two automobiles.

Mr. MYERS. No, Mr. President; it does not increase it a cent. It does not increase a cent the appropriation in the bill as it came over from the House.

Mr. SMOOT. It increases it at least to this extent. If you can get along with \$19,000, and not exceeding \$4,500 which shall be expended for salaries, then there is no need of the \$20,000 appropriation being in the bill.

Mr. MYERS. There is no increase, I will say to the Senator.

Mr. SMOOT. I know very well that there is.

Mr. MYERS. It is \$20,000; and it was \$30,000 last year.

Mr. SMOOT. I know there is no increase directly, but if the House provision is absolutely necessary to carry \$20,000 for the support and civilization of Indians on the Flathead Reservation in Montana, of which amount not exceeding \$4,500 shall be expended for salaries, then you add \$1,000 for the purchase of two automobiles, to be taken out of the \$20,000.

Mr. VARDAMAN. Mr. President, what can be more civilizing than two Fords?

Mr. MYERS. It does not add anything.

Mr. SMOOT. Mr. President, what I was trying to get the Senate to see is this: If it requires for support and civilization of Indians on the Flathead Indian Reservation in Montana, in-



cluding pay of employees, \$20,000, of which amount not exceeding \$4,500 shall be expended for salaries, then it is evident if we are going to take \$1,000 out of the \$20,000 for the purchase of two automobiles, \$20,000 is not sufficient or else it is \$1,000 more than enough.

Mr. MYERS. Will the Senator let me make a brief statement right there?

Mr. SMOOT. I know exactly what the Senator will state.

Mr. MYERS. What does the Senator know?

Mr. SMOOT. The Senator will state that the appropriation is \$20,000, and it does not cost the Government any more.

Mr. MYERS. No; I am not going to say that. Will the Senator permit me?

Mr. SMOOT. Then I yield.

Mr. MYERS. In just a minute I want to enlighten the Senator on this point. The necessity for the purchase of those two automobiles was fully gone into by the committee. The statement from the superintendent of the Indians on the reservation was laid before the committee, and it was approved by the representative of the bureau who was sitting there—the assistant commissioner—who verified the facts. The facts are that the superintendent now has two automobiles, but they are worn out. They have been worn out and are simply useless, and they need to be replaced. The committee passed on it unanimously, I believe, authorizing the insertion of this item. It is all in the hearings. The chairman can read from the hearings.

Mr. SMOOT. If the statement made by the Senator is correct—

Mr. MYERS. Certainly it is correct.

Mr. SMOOT. Then this amendment ought to be changed authorizing the purchase of the machines so as to use the old machines in exchange. In every appropriation bill that we have, when there is an old automobile worn out, that authorization is given, and unless it is you can not do anything with the old machine.

Mr. MYERS. From the report made, the old machines are not worth exchanging. They are worth nothing. They can not be used.

Mr. SMOOT. Mr. President, in view of what the Senator says, there is no necessity to put in the amendment here for the purchase of two automobiles. If the Commissioner of Indian Affairs feels that the purchase of two automobiles is absolutely necessary for the Flathead Indian Reservation, he can purchase them out of the appropriation of \$50,000 provided for on page 14 of the bill.

Mr. MYERS. They needed them last year, but had no way of getting them.

Mr. SMOOT. The House provided \$30,000 for the purchase of automobiles, and limited the amount for the purchase of the automobiles to \$30,000 for the fiscal year 1918, as found on page 14 of the bill. The Senate committee increased the House appropriation of \$30,000 to \$50,000.

Mr. MYERS. All I know is—

Mr. SMOOT. Now, the Senate committee wants to add \$1,000 more for the purchase of two automobiles at the Flathead Indian Reservation.

Mr. MYERS. All I know is that they did not get them and they needed them.

Mr. SMOOT. The superintendent needed them last year and got along without them, and if he needs them now certainly he can get them out of the \$50,000 appropriated for that specific purpose. Authorization is given to the Commissioner of Indian Affairs to purchase that many dollars worth of automobiles and place them anywhere in the United States upon Indian reservations. The committee of the Senate was not content with authorizing them to spend \$30,000 for that purpose, but increased the appropriation \$20,000, and now it has a provision here under the head of Montana for \$1,000 for the purchase of two automobiles for the Flathead Indian Reservation.

Mr. President, there is no necessity for it. If the Commissioner of Indian Affairs knows and feels that it is necessary to purchase two automobiles for the Flathead Indian Reservation, he has \$50,000 at his command to purchase those machines, together with as many other machines for other reservations as the \$50,000 will provide.

Mr. President, I hope that this amendment will not be agreed to, because it is provided for in another part of the bill, and there is no necessity for that. Upon that, Mr. President—

Mr. MYERS. When the Senator yields the floor I simply want to say—

Mr. SMOOT. Upon the amendment I ask for the yeas and nays, but I do not wish to do that until the Senator concludes what he has to say.

Mr. MYERS. I want to reply briefly, Mr. President. I only have to say in regard to this matter that it was fully considered by the committee when there was a full attendance, as I said, a large attendance. The Assistant Commissioner of Indian Affairs was sitting there consulting the committee. The committee went into the matter thoroughly, and unanimously decided that this provision is necessary and advisable.

It does not increase the appropriation one cent. It does not take one cent more out of the Federal Treasury. It does not raise the amount that came over in the bill from the House a particle. The statement from the superintendent of the agency was read to the committee. The Assistant Commissioner of Indian Affairs was sitting there and said he knew something of the facts and thought the change ought to be made. It was discussed by the committee, and the committee gave its approval to the proposition and differed from the Senator from Utah.

Mr. SMOOT. May I ask the Senator a question?

Mr. MYERS. Certainly, with pleasure.

Mr. SMOOT. If it is absolutely necessary and the Commissioner of Indian Affairs thought it was necessary, and the committee thought it was necessary, why did not the committee increase the amount for the purchase of automobiles to \$51,000 instead of \$50,000?

Mr. MYERS. Because they thought it was just as well to put the appropriation of \$1,000 in here.

Mr. SMOOT. Why did they not say, then, that all the other appropriations for the purchase of automobiles for Indian reservations should be put under the head of the Indian reservation for which the automobile was to be purchased?

Mr. MYERS. There was no application for that.

Mr. SMOOT. In other words, there was no one on the committee from States where other reservations wanted automobiles, and therefore it did not go in under the heading of the same.

Mr. MYERS. I suppose not.

Mr. SMOOT. I presume that was about the case.

Mr. MYERS. The committee and the Assistant Commissioner of Indian Affairs decided that the superintendent ought to have these two automobiles, that a thousand dollars was a reasonable sum to be allowed for them, and that this was the proper method to provide for their purchase. That is all I can say. The committee passed on it and gave its approval, and I think it ought to be sustained by the Senate.

Mr. SMOOT. I ask for the yeas and nays.

Mr. GRONNA. Mr. President, I want to substantiate what the Senator from Montana [Mr. MYERS] has stated. The matter was very carefully considered and it was shown to the committee that two automobiles are needed on this reservation. While there may be something in the criticism of the Senator from Utah and perhaps we ought to refer it back to the appropriation on page 14, the committee thought it did not make very much difference whether we appropriated \$1,000 for two automobiles on page 14 or on page 25. It was the unanimous opinion of the committee that these two automobiles are needed, and it was agreed to by the Assistant Commissioner of Indian Affairs, who was present at the time.

Mr. OVERMAN. May I ask the Senator a question?

Mr. GRONNA. Certainly.

Mr. OVERMAN. We are going to have a yea-and-nay vote and I want some light on the subject. Is it true, as the Senator from Utah says, that these two automobiles can be purchased out of the appropriation of \$50,000?

Mr. GRONNA. No; these two automobiles will be taken out of the appropriation of \$20,000.

Mr. OVERMAN. I understand; but has not the department authority under the \$50,000 appropriation to purchase two automobiles for this purpose?

Mr. GRONNA. I want to answer the Senator from North Carolina. As I understand it, an additional appropriation of \$1,000 will be required. It will take more than \$50,000 to make the purchases necessary on the various reservations.

Mr. SMOOT. Is it not true that the Senate committee increased the appropriation of the House from \$30,000 to \$50,000 for this very purpose?

Mr. GRONNA. That is true; but we also provided that only \$15,000 should be expended for the purchase of horse-drawn vehicles. There is really a limitation placed upon the whole appropriation.

Mr. SMOOT. There is no limitation placed upon the appropriation of \$50,000 for the purchase of automobiles?

Mr. GRONNA. I do not say that there is a limitation upon the appropriation of \$50,000.

Mr. SMOOT. That is all I am talking about.

Mr. GRONNA. But we are placing a limitation on the appropriation of \$15,000. We provide that only \$15,000 worth of



horse-drawn vehicles shall be purchased. That is a reduction of the amount formerly expended for horse-drawn vehicles.

Mr. SMOOT. There is no question arising as to the limitation on the appropriation for horse-drawn vehicles.

Mr. GRONNA. We are simply increasing the amount of money that may be expended for vehicles and I am discussing the amount of the appropriation which may be used for horse-drawn vehicles.

Mr. SMOOT. The whole item has been increased in that paragraph from \$200,000 to \$300,000, and it is provided that of the appropriation of \$300,000 not to exceed \$50,000 shall be expended for automobiles. The House provided in the paragraph an appropriation of \$200,000 and that not to exceed \$30,000 should be expended for automobiles. The Senate committee immediately increased the appropriation from \$200,000 to \$300,000, and then increased the amount to be expended for the purchase of automobiles from \$30,000 to \$50,000. Authority is given to the Commissioner of Indian Affairs to expend \$50,000 in purchasing automobiles, and he can put them upon any Indian reservation in the United States, but, after increasing the appropriation \$20,000, when they come here to the Montana items they put in an appropriation of \$1,000 for the purchase of two automobiles for the Flathead Indian Agency in Montana. If \$1,000 for the purchase of automobiles is absolutely required, they ought to make the appropriation of \$50,000 \$51,000, and not put in here a clause for the purchase of two automobiles for the Flathead Agency. The appropriation is made in the paragraph I have referred to, and that is where all the money ought to be appropriated for the purchase of automobiles, and not have the amount that is appropriated come under the head of "Montana," and appropriate for purchasing automobiles outside of the lump sum provided in the bill.

Mr. MYERS. I understand the objection is merely one of bookkeeping or method of procedure, and the Senate committee thought this was the proper method. It seems to me the committee is the best judge of the matter. If the superintendent at this agency were compelled to rely on the appropriation of \$50,000, he might not get his automobiles. I notice that he did not get them last year. To say to him here is an appropriation of \$50,000 with which to buy automobiles, does not do him any good if he does not get any automobiles. It is like a man having money in a bank that he can not draw out. The committee adopted this method of providing it to make sure that he would get them without question. With this method there is no doubt but that he will get them. I think the amendment ought to be adopted.

The PRESIDING OFFICER. The Senator from Utah demands the yeas and nays on agreeing to the amendment of the committee.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I have a general pair with the Senator from Oklahoma [Mr. OWEN]. In his absence I withhold my vote.

Mr. FALL (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. CHILTON]. In view of his absence I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. As he is absent, I withhold my vote.

Mr. CURTIS (when Mr. HARDING's name was called). I desire to announce the unavoidable absence of the junior Senator from Ohio [Mr. HARDING] on account of illness in his family. I will let this announcement stand for the day.

Mr. JONES (when his name was called). The junior Senator from Virginia [Mr. SWANSON] is necessarily absent on account of illness. I am paired with him for the day, and therefore withhold my vote.

Mr. CURTIS (when Mr. McLEAN's name was called). I desire to announce that the Senator from Connecticut [Mr. McLEAN] is absent on account of illness. I will let this announcement stand for the day.

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. McLEAN]. In his absence I transfer that pair to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the junior Senator from Arkansas [Mr. KIRBY] and vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. In his absence I shall have to withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I announce the absence of my colleague [Mr. SMITH of Michigan] and his pair with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Maine [Mr. FERNALD] and vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER], which I transfer to the junior Senator from South Dakota [Mr. JOHNSON] and vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "nay."

Mr. WALSH (when his name was called). I am paired with the Senator from Rhode Island [Mr. LIPPITT], who is absent. I transfer that pair to the Senator from Indiana [Mr. KERN] and vote "yea."

The roll call was concluded.

Mr. CATRON. I transfer my pair with the Senator from Oklahoma [Mr. OWEN] to the Senator from Connecticut [Mr. BRANDEGEE] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Wyoming [Mr. CLARK] with the Senator from Missouri [Mr. STONE]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 33, nays 19, as follows:

#### YEAS—33.

Ashurst	Gronna	Myers	Shields
Beckham	Hollis	Norris	Sterling
Broussard	James	Page	Thompson
Bryan	Johnson, Me.	Pittman	Townsend
Catron	La Follette	Poincxeter	Vardaman
Chamberlain	Lane	Ransdell	Walsh
Clapp	Lee, Md.	Saulsbury	
Curtis	Martin, Va.	Shafroth	
Fletcher	Martine, N. J.	Sheppard	

#### NAYS—19.

Bankhead	Hughes	Pomerene	Tillman
Borah	Kenyon	Sherman	Wadsworth
Brady	Lodge	Smith, Ga.	Watson
du Pont	Oliver	Smoot	Weeks
Hardwick	Overman	Thomas	

#### NOT VOTING—44.

Brandeggee	Gore	McCumber	Smith, Ariz.
Chilton	Harding	McLean	Smith, Md.
Clark	Hitchcock	Nelson	Smith, Mich.
Colt	Husting	Newlands	Smith, S. C.
Culberson	Johnson, S. Dak.	O'Gorman	Stone
Cummins	Jones	Owen	Sutherland
Dillingham	Kern	Penrose	Swanson
Fall	Kirby	Phelan	Underwood
Fernald	Lea, Tenn.	Reed	Warren
Gallinger	Lewis	Robinson	Williams
Goff	Lippitt	Simmons	Works

So the amendment of the committee was agreed to.

Mr. FLETCHER. I ask leave, Mr. President, to return to the item under the head of "Florida," on page 27 of the bill. I was absent yesterday when the matter came up. I ask the Senate to reconsider the vote whereby the amendment of the committee was adopted. It will be seen that the bill as it came from the House carries an appropriation of \$8,000 "for relief of distress among the Seminole Indians in Florida, and for purposes of their civilization and education." The committee saw fit to reduce the appropriation to \$5,000.

While it is true that Assistant Commissioner Meritt apparently believes that to be a sufficient sum to carry on this work I should like to say that Mr. Meritt seems to be actuated very largely by the fact that the agent appointed to look after this work in Florida last year did not spend all the money that was appropriated for the purpose, and therefore he assumes that the amount of \$8,000 is not needed because \$8,000 was not spent last year. The fact is that the condition with reference to these Indians is growing worse instead of better, because the great hunting grounds of the Indians in that portion of the State, and they are all in that portion of the State, are being reduced to cultivation, and to that extent the Indian is unable to obtain the quantity of game he used to get and he can not much longer maintain himself by hunting and fishing. He has to begin something else. There are some 578 Indians of these Seminoles in or in the vicinity of the Everglades of Florida. Senators will recall that they are descendants of the Seminoles who would not go to the Indian Territory years ago. They refused to go. The Government undertook to drive them and the Indians went down into the Everglades and they have remained there. The Everglades are now being reclaimed; canals



and ditches are being dug and other similar work is being done; and lands which were formerly under water are at the present time producing magnificent crops, so the hunting grounds of the Indian are being gradually taken away from him. He therefore needs to be taught how to become self-supporting; he needs to be taught something of agriculture. Occasionally the Indians have their troubles in the way of illness; they need the care of physicians; they can not any longer be dependent upon their "medicine men." The Indian children are now going to the public schools.

Mr. ASHURST. Mr. President—

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Florida yield to the Senator from Arizona?

Mr. FLETCHER. I do.

Mr. ASHURST. What is the purpose of the Senator from Florida—simply to disagree to the committee amendment?

Mr. FLETCHER. I do not ask to increase the provision of the bill as it came from the House, but I simply ask to disagree to the committee amendment, and let the item stand as it passed the other House, at \$8,000.

Mr. ASHURST. So far as I am concerned, I hope that action will be taken.

Mr. FLETCHER. I think that ought to be done. Of course, if the money is not needed it will not be spent. The amount involved is small. I ask that the committee amendment be disagreed to, Mr. President.

Mr. BRADY. Mr. President, there must have been some reason for reducing the amount of this provision from \$8,000 to \$5,000, and on that point I should like to hear from the chairman of the committee, who is in charge of the bill.

Mr. FLETCHER. The reason is, as I have said, that Mr. Meritt stated he needed but \$5,000, or that that would be all that he considered would be necessary. This is shown in the report of the committee, where he says he will be satisfied with \$5,000. He feels that that may be sufficient, but the House of Representatives did not think so. The House said, "You are going to need \$8,000 for this purpose for the next year." If it is not needed it will not be spent; it was not spent last year; but because it was not spent last year is no reason why it will not be needed for this year. The needs are increasing. The Indian children are now going to the public schools, whereas formerly they were prohibited by the white people from attending the white schools. At one time the penalty of death was imposed by the Indian council upon an Indian who sent his children to a white school; but that has been done away with, and the Indian children are now going to the white schools and are there being taught. The Indians are being relieved in many ways. The report of the Commissioner of Indian Affairs states:

If they are not won to the ways of civilization within a comparatively few years they will become dependents. It has not been necessary to expend much money upon these people as yet, but there should be an adequate appropriation available.

Eight thousand dollars for one year for the relief of 578 Indians scattered over that region is certainly not a very generous provision to make for them. Simply because last year that amount was not actually expended is no reason why it will not be needed for this year. The House of Representatives thought it would be needed, and therefore they granted \$8,000.

Mr. BRADY. Mr. President, I fully realize that the House of Representatives allowed \$8,000, but the committee reduced that amount to \$5,000. I think before we vote on the amendment we should hear from the Senator in charge of the bill as to why that item was reduced from \$8,000 to \$5,000.

Mr. FLETCHER. Very well. I have simply called attention to the report of the committee.

Mr. ASHURST. Mr. President, I wish, first, to say that that is the only reduction which the committee of the Senate made. All other actions with respect to amounts were increases.

There is a strange view which obtains in the mind of some men regarding departmental work. If a department is economical, it is penalized; and if it fails to spend the full amount that is made available for its purposes, the next year the appropriation for the department is reduced. In this particular case the \$8,000 was not all spent. Merely because an appropriation is made does not afford a reason why it should all be expended. The trouble with the committees of Congress is that they penalize a department when it shows any evidence of economy.

I think the statement made by the Senator from Florida [Mr. FLETCHER] is absolutely commanding. He shows that the Everglades are being reclaimed; that the Indians are driven farther and still farther into the interior of the Everglades; that they are obliged to resort to the killing of alligators and small game, some deer and some birds of plumage that may be killed at some particular time of the year, but that their area of land is

being reduced from time to time and that it is a necessity now that they be taught some kind of industrial life—agriculture or something else. I think the Senator from Florida has made a very strong showing in this matter.

Mr. MYERS. Mr. President, I am a member of the Committee on Indian Affairs, but I was not present when this item was considered. I am, however, in favor of the motion made by the Senator from Florida. I think his statement is convincing and that his reasons are sound. I am in favor of receding from the Senate committee amendment. As the Senator says, if the amount is put at \$8,000 and it is not all needed, it need not be expended. The provision is for only \$8,000, "or so much thereof as may be necessary."

Mr. SMOOT. Mr. President, this item is the only one as to which a decrease is made in the bill as reported to the Senate by the committee from the amount provided for by the other House, and I was almost paralyzed when I saw that the committee had made a decrease. I do not think, however, that it will stay—

Mr. ASHURST. I hope not.

Mr. SMOOT. I do not think that it will stay as the committee reported it. I think the House provision will be restored. The Senator from Colorado [Mr. THOMAS] ought to be here, and he ought to withdraw his commendation, extended so warmly to the committee last night, on the fact that there was one amount that had been decreased. I shall not say anything more about it, Mr. President, for I know if the vote is taken and the chairman of the committee says the amount ought to be increased, it will be increased. Therefore there is no need of taking any further time on it.

Mr. CURTIS. Mr. President, I hope that the amendment of the Senate committee will be agreed to. The Assistant Commissioner of Indian Affairs appeared before the committee and stated that the department only needed \$5,000 for this purpose. That sum is all that was estimated for. The report shows that of the sum appropriated last year there was \$1,701 remaining unexpended. The department know how much money they need, and I think we should follow the recommendation of the committee.

Mr. SMOOT. Does the Senator from Kansas say that only \$5,000 was estimated for this purpose?

Mr. CURTIS. That is all.

Mr. SMOOT. That does not make any difference so long as it is an increase which is involved.

The PRESIDING OFFICER. It will be necessary to reconsider the vote by which the committee amendment was adopted. Does the Senator from Florida move to reconsider that vote?

Mr. FLETCHER. I move to reconsider the vote whereby the committee amendment was adopted.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida. [Putting the question.] The yeas seem to have it.

Mr. FLETCHER. I ask for a division, Mr. President.

Mr. SMOOT. Mr. President, the easiest way to get at it is to ask for the yeas and nays, because we are going to vote, anyway, and I shall ask for the yeas and nays on the increase.

Mr. GRONNA. I suggest the absence of a quorum if we are going to have a record vote.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fernald	Myers	Sheppard
Beckham	Fletcher	Norris	Shields
Brady	Gallinger	Overman	Smith, Md.
Catron	Gronna	Page	Smoot
Chamberlain	Hitchcock	Phelan	Sutherland
Clapp	Hughes	Pittman	Thomas
Culbertson	James	Poinexter	Thompson
Curtis	Jones	Pomerene	Vardaman
Dillingham	Lewis	Ransdell	Walsh
du Pont	McCumber	Robinson	Warren
Fall	Martine, N. J.	Shafroth	

The PRESIDING OFFICER. Forty-three Senators have responded to their names. There is not a quorum present.

Mr. NORRIS. I move that the Senate adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska.

Mr. FLETCHER. Before that motion is put, I think it is in order to have the names of the absentees called.

Mr. GALLINGER. A motion to adjourn is always in order.

The PRESIDING OFFICER. A motion to adjourn takes precedence.

Mr. FLETCHER. I think that where the lack of a quorum is disclosed the Senate has a right, first, to call for the absentees.

Mr. GALLINGER and Mr. POINDEXTER. Question!



The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska that the Senate adjourn.

Mr. WALSH. On that I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand for the yeas and nays seconded?

Mr. SMOOT. Mr. President, I do not think there is any question as to the priority of the motion to adjourn. Under our rules, no quorum having been developed, that is the only motion that can be made.

Mr. GALLINGER. Mr. President, debate is out of order. Let us have the question put.

The PRESIDING OFFICER. A sufficient number have seconded the demand for the yeas and nays. Those in favor of adjourning will signify it by saying "yea" when their names are called, and those opposed "nay."

Mr. HARDWICK. Mr. President, before that motion is put, I think Senators who have come into the Chamber have a right to be recorded as "present."

Mr. SUTHERLAND. Regular order!

The PRESIDING OFFICER. The roll call developed the absence of a quorum.

Mr. JONES. Regular order!

Mr. HARDWICK. Mr. President, the regular order is for Senators who are now present, but not recorded, to have an opportunity to answer to their names.

Mr. NORRIS. The regular order is a vote on the motion to adjourn. The announcement was made by the Chair that no quorum was present.

The PRESIDING OFFICER. The regular order, it seems to the Chair, is the calling of the roll on the motion of the Senator from Nebraska that the Senate adjourn. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JONES (when his name was called). While I have announced my pair with the junior Senator from Virginia [Mr. SWANSON], I assume he would vote "nay" on this motion. So I take the liberty of voting and vote "nay."

Mr. MYERS (when his name was called). I make the same announcement as to my pair with the Senator from Connecticut [Mr. McLEAN] and its transfer as on the last roll call, and I vote "nay."

Mr. SAULSBURY (when his name was called). I make the same announcement as heretofore as to my pair and its transfer and vote "nay."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Minnesota [Mr. NELSON] and vote "nay."

Mr. WALSH (when his name was called). I have a pair with the Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the Senator from Indiana [Mr. KERN] and vote "nay."

The roll call was concluded.

Mr. ASHURST. I rise to announce that the senior Senator from Indiana [Mr. KERN] is absent on account of important business.

Mr. McCUMBER (after having voted in the affirmative). Evidently there is now a quorum present, and I change my vote from "yea" to "nay."

Mr. GALLINGER (after having voted in the affirmative). I am paired with the senior Senator from New York [Mr. O'GORMAN]. He being absent, I withdraw my vote.

The result was announced—yeas 3, nays 52, as follows:

#### YEAS—3.

Brady du Pont Norris

#### NAYS—52.

Ashurst	Hardwick	Myers	Shields
Bankhead	Hollis	Oliver	Smith, Ga.
Beckham	Hughes	Overman	Smith, Md.
Borah	James	Page	Smoot
Bryan	Jones	Phelan	Sterling
Cañon	Kenyon	Pittman	Sutherland
Chamberlain	Lane	Polindexter	Thomas
Clapp	Lee, Md.	Pomeroy	Thompson
Culberson	Lewis	Ransdell	Vardaman
Curtis	Lodge	Robinson	Wadsworth
Dillingham	McCumber	Saulsbury	Walsh
Fernald	Martin, Va.	Shafroth	Warren
Fletcher	Martine, N. J.	Sheppard	Watson

#### NOT VOTING—41.

Brandagee	Harding	Nelson	Stone
Broussard	Hitchcock	Newlands	Swanson
Chilton	Husting	O'Gorman	Tillman
Clark	Johnson, Me.	Owen	Townsend
Colt	Johnson, S. Dak.	Penrose	Underwood
Cummins	Kern	Reed	Weeks
Fall	Kirby	Sherman	Williams
Gallinger	La Follette	Simmons	Works
Goff	Lea, Tenn.	Smith, Ariz.	
Gore	Lippitt	Smith, Mich.	
Gronna	McLean	Smith, S. C.	

So the Senate refused to adjourn.

The PRESIDING OFFICER. It having developed that a quorum has answered to their names, a quorum is present.

Mr. FLETCHER. Mr. President, I merely desire very briefly to call the attention of those who were not present when this matter was being considered a few moments ago to the facts in the case.

On page 27 the committee have reported an amendment in favor of decreasing the appropriation of \$8,000 for the relief of distress among the Seminole Indians in Florida, as carried in the House bill, to \$5,000. The motion is to reconsider the vote whereby that amendment was agreed to, in order not to increase the House appropriation, but to have it remain in the bill as agreed to by the House, namely, \$8,000.

The only objection to the amount being made \$8,000 instead of \$5,000 is raised by the Senator from Kansas [Mr. CURTIS], who says that the Commissioner of Indian Affairs does not really need \$8,000 for this purpose. That statement is based upon the proposition that because last year there was an appropriation of \$8,000 for the benefit of these Indians and all of it was not used, therefore he believes that for the coming year \$8,000 will not be needed. That does not follow at all; that is not good logic, and it is not good judgment, because, whatever may have been the facts and conditions as to the use of the money appropriated last year, the need of the Indians increases rather than diminishes, because their territory is being cleared up, their hunting grounds done away with, and they are becoming more and more dependent.

Of course the appropriation of \$8,000 need not all be spent if it is not needed—it was not all spent last year; but are we going to say that because we find an economical agent looking after the expenditure of money, a man who is careful not to expend a dollar more than he is obliged to expend, therefore we are not going to allow him the money that we think ought to be used for the purposes of this provision?

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. FLETCHER. I will.

Mr. GALLINGER. Will the Senator say approximately how many Seminole Indians there are in Florida?

Mr. FLETCHER. There are 578, according to the report of the bureau, which had a census taken of the Indians there.

Mr. GALLINGER. Are they decreasing, as the Indian population is in other parts of the country?

Mr. FLETCHER. There is a difference of opinion about that. I think the majority of those acquainted with the Indians, their location, and their life, would say that they are about holding their own. I doubt if they are decreasing or increasing to any extent.

Mr. GALLINGER. Are they to any extent engaging in agricultural or horticultural pursuits?

Mr. FLETCHER. They are just beginning, and that is the main purpose of this appropriation, I will say to the Senator, namely, to train them in agricultural pursuits so that they may take care of themselves, because soon their hunting grounds will be devoted to other uses, and they will be unable to make a living, unless they are taught agriculture and possibly other industrial pursuits. They are beginning to go to school now, which they formerly did not do at all.

Mr. GALLINGER. Are there schools for them on their reservation?

Mr. FLETCHER. They are going to the public schools furnished by the State. I will say, Mr. President, briefly, that this item of \$8,000 would amount to less than \$14 a head if it were used. If it is not needed and is not used by the agent who is looking after the expenditures down there, then, of course, it will go back to the Treasury, but it would not, as I have said, amount to more than \$14 a head if it were used. Following this Florida item in the bill is an item in section 5 for the support and civilization of the Indians on the Fort Hall Reservation in Idaho, for which an appropriation of \$30,000 is made. There are 1,794 of those Indians, for whose care and relief \$30,000 are appropriated. Of the Florida Seminoles there are 578, and we only ask \$8,000 for their care and relief. According to the statistics furnished us by the Senator from North Dakota [Mr. McCUMBER], this item, if it were in accordance with the average appropriations in this bill, would be \$26,000, and cutting that in half would leave \$13,000; in other words, according to his estimate, \$22.50 a head is appropriated in this bill for all the Indians in the country; so that this item would be \$13,000 under that calculation, or \$26,000 under his first estimate, on the basis of the \$15,000,000 carried in the bill.

Mr. VARDAMAN. Mr. President, I should like to ask the Senator if these Indians have any property of their own?

Mr. FLETCHER. There is a reservation of land off to the side of the Everglades, but very little of it is fit for agriculture.



There is some effort being made to acquire land for them from the State and from the Government, but they have a reservation which could be utilized for the purpose of training them in agriculture.

Mr. VARDAMAN. How much did they use last year?

Mr. FLETCHER. According to this report, there was an unexpended balance of \$1,301 last year.

Mr. VARDAMAN. Is the Senator personally familiar with the conditions down there?

Mr. FLETCHER. Oh, yes; quite so. I have not visited the camps of the Indians, but I have seen them.

Mr. VARDAMAN. The Senator thinks this appropriation ought to be made?

Mr. FLETCHER. I do think that there ought to be \$8,000 appropriated for their benefit during the fiscal year from June, 1917, to June, 1918.

Mr. VARDAMAN. Well, I shall vote for it.

Mr. FLETCHER. I think it will be needed. I believe that the need is increasing there, and that the agent will find that he can properly and wisely use that amount of money for the benefit of these Indians, and that they will need it for the next year.

Mr. BRYAN. Mr. President, I have just come into the Chamber. I suppose my colleague [Mr. FLETCHER] has covered pretty fully the conditions so far as this appropriation is concerned. I have gone through the bill, and have noted that not only is the appropriation as it came to the Senate from the House for the Indians in Florida the smallest of all the appropriations, but it is the only one that has been reduced, which seems to me to be rather an unusual condition. I understand in a general way that the reason for that is that the appropriation heretofore made has not been entirely used up. Now, that does not indicate that the money ought not to be used. It rather indicates, perhaps, that the gentleman in charge of it ought to be displaced by somebody else, because there can be no question but that \$8,000 can be used many times over for the benefit of those Seminole Indians in Florida.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Kansas?

Mr. BRYAN. I do.

Mr. CURTIS. I want to ask the Senator if he does not know that the Commissioner of Indian Affairs only estimated for \$5,000, and told the committee that \$5,000 was all that he needed and all that he could use?

Mr. BRYAN. I understand he said that because the amount appropriated had not been used last year. However, Mr. President, I do not care about that at all. We had better leave it out altogether if the appropriation is simply for paying the salary of somebody who has nothing to do. There are somewhere between 600 and 1,000 Seminole Indians, and the money can be well spent for their benefit. I do not understand why the committee should single out these particular Indians as the only ones for whom they would not appropriate.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Utah?

Mr. BRYAN. I yield to the Senator.

Mr. SUTHERLAND. Does the Senator know how these Indians maintain themselves now?

Mr. BRYAN. Yes, Mr. President; I am quite familiar with that. In fact, I was down in that section of the State 20 years ago, and became acquainted with a good many of the Indians themselves. They maintain themselves generally by hunting and fishing. They use the Everglades for hunting and fishing. They caught otters and alligators, and sold alligator hides and otter skins. Now, that great swamp is being reclaimed, and it is becoming a very serious question as to what will be done with them.

No great progress has ever been made with these Indians. Of course, they were entitled to go to the Indian Territory, and if they had done so they would have shared the lands there. Instead of going they took to the then unexplored territory lying in the lower interior of the State, hid out, and persistently refused to leave their hunting grounds. They have stayed there. Efforts have been made many times to civilize them, and some progress has been made. Churches of various denominations have taken hold of the matter. Missions now exist among the Indians, and they have taken some of them and sent them to college. They have not made much progress, however. Now, the Seminoles seem to gather out of the Everglades around Palm Beach and Miami. They formerly were more independent than they appear to be now. The hunting grounds are disappearing. They flock to these resorts. They are around there,

having their pictures taken, and learning to speak English more, and doing less of the work that they formerly did.

I do not know how money could be better spent. I hope the amendment will not be agreed to. It may be that the man in charge of this work is taking the amount of money that is appropriated and spending it for his salary and the salary of somebody else. If so, that man ought to be gotten rid of and somebody else put in his place.

Mr. CURTIS. Mr. President, the report shows that the salary that was paid last year was only \$376.67.

Mr. BRYAN. What was done with the rest of it? Of course, \$8,000 is a small amount for the purpose expressed here, for relief of distress among the Seminole Indians and for purposes of their civilization and education.

Mr. CURTIS. The rest was spent for traveling expenses, and so forth.

Mr. BRYAN. Many times \$8,000 could be spent in useful ways among them.

Mr. SUTHERLAND. Mr. President, let me ask the Senator whether it could be used to educate them in agricultural matters?

Mr. BRYAN. I will say to the Senator that practically no progress has been made with them in that direction. They are full-blooded Indians. They are peaceable. They have changed in that respect. Formerly they were very much disposed to fight. The Senator knows that there have been two Indian wars down there—the Seminole Indian War of 1837 and again in 1857.

Mr. SUTHERLAND. Do I understand that this \$8,000 is to be used simply to relieve their wants, or is it to educate them?

Mr. BRYAN. According to the appropriation it is for the relief of distress among them and for purposes of civilization and education. Of course, there would be no need of any appropriation for education at all—

Mr. FLETCHER. Mr. President, if my colleague will allow me, I will say that those who are taking to education at all are attending the public schools of the State. There are a few in the public schools; but they are beginning now the work of teaching them agriculture, and that is one of the purposes of this appropriation. The appropriation last year was the first step in that direction, and I think now they are giving more attention to that matter. That is the main thing to be accomplished.

Mr. BRYAN. I should dislike very much to see this apparent discrimination against these Indians placed in the bill. I imagine that there are more of them than in many of the States where the appropriations are large.

Mr. PAGE. Mr. President, by turning to the report on page 16 I find a very plain statement:

Appropriation, \$5,000; estimate, \$5,000.

My experience on the Indian Affairs Committee leads me to believe that the commissioner is quite apt to ask for whatever he thinks the necessities demand; and so far as I can learn from the statements of the Senators from Florida, they do not present any concrete statement upon which to base an advance here. They present only the general statement that it is perfectly easy to use \$5,000 or \$25,000 for these Indians.

My recollection is that these Indians are strolling fishermen; that they live as they can all the year long, without any help of any account from the Government. As the Senator has well said, they do not want to be educated. They are full-blooded Indians.

It seems to me that we ought not to increase this appropriation beyond the estimates of the department without some showing that an increase is actually needed, because there is no man so well able to judge about that as the Commissioner of Indian Affairs.

Mr. BRYAN. Mr. President, I do not pretend to be very familiar with this subject or with what has been done in the past. My impression is that the estimate was not made for a larger amount because the amounts heretofore appropriated have not been used up by the man in charge. My proposition is that they ought to have been used up. There is distress among these Indians.

I have been appealed to many times since I have been in the Senate to introduce a bill to have a reservation set aside for the Seminole Indians. Perhaps I have been recalcitrant in my trust not to have done so; but there have been other matters, and, anyway, I have not done it. There are a number of people in the State who are taking an interest in the Seminole Indians. One lady of my acquaintance has become acquainted with a good many of them and she has published an Indian dictionary. I imagine that much more than this amount of money is being spent by well-inclined people, philanthropic people, who go



among these Indians. I know there is a church mission established among them. Now, I say that something is the matter when a man is allowed \$8,000 to relieve their distress and for their civilization, and has not spent that much money. There can not be any doubt about that proposition.

Mr. PAGE. I should like to suggest to the Senator that frequently we can judge as to what we need next year by what we spent last year.

Mr. BRYAN. Yes.

Mr. PAGE. Unless the Senator can show that there has been some neglect, unless he can show that there has been some wrong done, it seems to me that we ought to judge of what we should spend next year by what we were compelled to spend last year. The fact that we have some good people there who are willing to contribute to the spiritual welfare of those Indians should not change very much the action of the Senate on an appropriation where the estimates and recommendations of the department are clear, and are based upon the fact that we spent less than we appropriated last year.

Mr. BRYAN. Mr. President, the House committee and the House itself did not seem to be under the idea that they would have to accept the estimate. They seem to have been sufficiently familiar with this question to know that an additional amount ought to be given, and they gave it, both in the committee and in the House. I do not subscribe to the doctrine that because somebody in a department says that a certain amount is all that is needed Congress is bound to accept that. The committee of the House did not do it, and the House itself did not do it.

Mr. PAGE. But does the Senator give one single, concrete reason why we should not do it? The Senator speaks generally, and says that there is an opportunity to spend three or four times this amount; but the commissioner, who knows about this matter, says that \$5,000 is sufficient.

Mr. BRYAN. Who knows about it?

Mr. PAGE. The Commissioner of Indian Affairs.

Mr. BRYAN. He does not know a thing about it. I know as much about it as he does, and I do not know much about it myself.

Mr. VARDAMAN. Mr. President—

Mr. FLETCHER. Mr. President, there is one thing that I might mention there, if the Senator will pardon me a minute, as a reason why, perhaps, more was not spent of the appropriation last year, namely, because the agent in charge of that expenditure happened to be chaplain in one of the companies that was ordered to the border, and he has been out of the State ever since the call for the National Guard some time last fall.

Mr. BRYAN. That may explain it.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Mississippi?

Mr. PAGE. With pleasure.

Mr. VARDAMAN. Mr. President, the total appropriation of \$8,000 is less than \$16 per capita, which is proposed to be expended for the amelioration of the condition of these homeless, helpless, depauperated people. These denizens of the forest are unfamiliar with the ways of civilization, unaccustomed to the habits of the white man, and utterly helpless and would starve in a land of limitless fertility unless the white man should teach them how to care for themselves. During the process of tutelage, there is nothing for the Government to do save to care for and maintain them. Their lands have been taken from them by the white man. The onward march of civilization has driven them to the frontier, and the chilling winds of Anglo-Saxon charity has frozen the genial current of their souls and left them in the bleak desert of life, hopeless and helpless. They are the wards of the Government—that is, they are recognized as such by the law of the land which has the approval of the better and more humane public sentiment. And it is the duty of the Government to at least supply them with the necessities of life. I can not understand how anything can be done for them to an appreciable extent with the small amount of money asked for in this bill. I do not know what estimate has been made by the Commissioner of Indian Affairs, but I am going to concede to the commissioner the very best motive in what he has done. But I do know that a man having any interest in the material or spiritual welfare of those people would not expect very much good to come to them where the amount of money expended in their behalf was as small as that carried in this bill. I think when we come to consider the interest of helpless people of this character we ought not to be parsimonious. It is not humane. It is not in keeping with our ideas of duty to the weak, to the helpless and the needy to measure with the Shylock standard the money appropriated for their support. This rich Government has taken

everything that the Indian had. His "happy hunting ground" has been converted into the productive farm, and where he hunted the antelope, the deer, and the wild birds of the plains will now be found progressive cities, splendid farms inhabited by prosperous and enterprising white people. It presents a melancholy picture to me, and one that stirs deeply my sense of commiseration. I had rather go beyond that which is actually needed than to fall short of the real necessities of life. If I must err at all, let me err on the side of charity and liberality in dealing with people of this character. We are not so careful when it comes to throwing away \$35,000 and spending a couple of hundred thousand or a million dollars to mobilize the Army and the Navy in order to pull off this great show on the 4th of March, with all of its regal tendencies and display. Oh, Mr. President, it is not pertinent to the question at issue, but I will be pardoned for expressing the hope that I may live to see one great Democrat who will bring to the office of President that sublime democratic simplicity which characterized the conduct of Thomas Jefferson, the greatest President of this unparalleled Republic.

I want to see the President of these United States body forth in his official conduct and life the real relationship between him and the people. I want to see him glorify the function of the servant and avoid everything that even smacks of the assumption of royal authority or ostentatious display in that great office. In so doing the people would be taught the dignity and power of private citizenship and their responsibility for their Government. No; there is no very vigorous protest when it comes to making appropriations out of the depleted Treasury for such regal displays as we are to have on the 4th of March. The employees of the Government may work for starvation wages and these unfortunate Indians may perish for the necessities of life, but the pomp and circumstance of the inaugural parade must be pulled off at any cost. I do not think, however, that the seeming neglect of these unfortunate people is due to the lack of charity on the part of Senators, but I fear we have not tried to put ourselves in their places. Everything is comfortable with us. The meals are regular, our clothing is ample, our homes are warm. We are not exposed to the chilling blasts of winter or the blistering suns of summer. We are in the habit of dealing with our equals and watching the man who is inclined to demand in business transactions the pound of flesh. Probably our failure to comprehend the sufferings of the poor is due to a lack of imagination or a defect in the imagination. We can not feel the pinch of poverty; we can not hear their groans. We do not see the indescribable expression of want, woe, and anxiety upon their stolid faces. The dark, deep tragedy in their lives to us is but a passing inconsequential impression. To my mind, the duty of the United States Government is clear and distinct. There should be no hesitation in the performance of the duty which presses upon us as representatives of the people in dealing with this question. If necessary to raise funds, I shall cheerfully vote to levy a tax to take care of these people as they ought to be cared for; but I do not think it is creditable to the heart of this Nation. In truth, I do not think that we, representing the wishes of the American people, ought to be guided by what some official in Washington may say with reference to a matter so free from doubt as this question appears to me. But if there be a doubt about it, I will give the benefit of the doubt to the Indians. I would rather err on the side of generosity than to be guilty of the crime of parsimony in dealing with these indigent, helpless "stoics of the woods," whose only resource is the charity of their despoilers, the white man.

Mr. PAGE. Mr. President, I do not concede that the Senator from Mississippi has a stronger desire than myself to see the Indian properly treated. As a member of the Committee on Indian Affairs, I have always been on the side of liberality and justice to the Indians. The Senator says that these lands have been taken away from them. I should like to know if anybody has stated here upon knowledge that any lands that they possessed one year ago are not possessed by them now?

Mr. VARDAMAN. Mr. President, if the Senator will pardon me, neglect a year ago does not justify any sort of neglect of them to-day.

Mr. PAGE. If it is neglect, I agree that the Senator is right; but no one has shown to-day that there has been any neglect, so far as I have heard. I should like to have the statement made by some one who knows what he is talking about that there has been neglect. I want to know what that neglect is, because I know of no man better able to judge as to what is needed than the commissioner; and until somebody with better knowledge can tell us that there is neglect and specify what that neglect is, I think we ought to take his statement.



Mr. VARDAMAN. If the Senator will pardon me, it has just been stated and reiterated several times upon the floor of the Chamber that the lands upon which these people hunted and fished are being taken from them. That is their only source of revenue. They have no other means of making a living. We have neglected them and we have not tried to teach them the better industry of agriculture to make them self-sustaining. Now, the Senator knows very well that we can not do very much for them if we only expend about \$8 per capita upon them.

Mr. PAGE. But we are not seeking now, if the Senator will permit me, to educate those Indians.

Mr. VARDAMAN. That is the purpose of this appropriation as it was read a moment ago by the Senator from Florida. If it were not the purpose of the appropriation to educate them and teach them to be self-sustaining, that purpose should be written in the law by the Senate. In other words, haste nor economy should prevent the Congress in doing its full duty to these people.

Mr. PAGE. But the Senator from Florida also said that the State of Florida was taking care of their education.

Mr. BRYAN. Oh, no; Mr. President.

Mr. VARDAMAN. Oh, the State of Florida is helping where it can. The Senator from Vermont knows, I dare say, that quite a number of these people do not live where they can take advantage of suitable schools maintained for the white children. True to the instincts of the Indian, they get as far away from the white man's civilization as is possible. But where they are sufficiently advanced in the arts of civilization and live within reach of the State schools, of course, they are permitted to attend them. The purpose of this appropriation is to enable the Indian Commissioner to go out and find the Indian that needs and is willing to accept the white man's civilization and to do something for him.

The Government has not acted with that scrupulous fidelity to the trust that the highest sense of morality demands in dealing with the Indian. There is a very pathetic instance in my own State. There are a thousand or fifteen hundred poor old Choctaws, bereft of their lands, homeless and helpless in the midst of plenty, who are being shamefully neglected by the Government. They are simply flotsams and jetsams on the sea of life. Nobody cares particularly anything about them. They can not vote and are not factors in the upbuilding of society. They were invited to go to Oklahoma and there share the benefaction which the National Government provided for them, but they did not want to leave their home. They did not want to leave the land of their fathers. Now, because they failed to exercise the shrewd and discriminating judgment of the Anglo-Saxon, and to place the estimate upon the dollar that the modern money-worshipping white man does, they are now told they have no claim upon the Government and that they must suffer for their indiscretion. Mr. President, these people do not know how to take advantage of opportunity when it knocks at the doors of their huts, and, not knowing the advantages of opportunities, they should not be punished for their failure to improve the opportunities that have come to them. Measured by the standards of our civilization, they are but children, and it is the purpose of this humane appropriation to employ benevolent men and women to go out among these people, make conquests of their hearts, control their minds, inspire them to strive for higher and better things. That is the purpose of it. In the name of justice and humanity, I plead with the Senate not to be parsimonious, stingy, cold, and calculating in dealing with the helpless wards of this rich Republic.

Mr. PAGE. Mr. President, do not let us believe, either, that we are going to go there and take those full-blooded Indians, who live by fishing and hunting and nothing else, and, without establishing any schools there, educate them. That can not be done, and \$5,000 or \$8,000 or five times \$5,000 can not do it. We do not propose to do it by this appropriation. We simply propose to relieve distress. The Commissioner of Indian Affairs says that \$5,000 is all that can be used, and that all that was appropriated last year was not used; and we are bound to presume that justice was done last year. I do not know that we can presume any other way. If some Senator can say positively that wrong was done them, I should like to have him say so. So far as I know, and so far as appears here, they are being well treated.

The PRESIDING OFFICER. The question is upon the motion of the Senator from Florida [Mr. FLETCHER] to reconsider the vote by which the Senate struck out \$8,000 and inserted \$5,000 for relief of distress among the Seminole Indians in Florida, and for purposes of their civilization and education. On that the yeas and nays have been ordered.

Mr. SMOOT. Mr. President, I will withdraw the request for the yeas and nays on the motion for reconsideration. I am per-

fectly willing to have the vote reconsidered, but then I do want the yeas and nays on the increase itself.

Mr. VARDAMAN. All right.

The PRESIDING OFFICER. The Senator from Utah asks unanimous consent to withdraw the request for the yeas and nays.

Mr. SMOOT. Yes; I ask unanimous consent to withdraw the request for the yeas and nays on the reconsideration of the vote.

The PRESIDING OFFICER. Without objection, that may be done; and without objection, the motion to reconsider will be agreed to.

Mr. SMOOT. Now I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The question now is upon agreeing to the committee amendment striking out "\$8,000" and inserting "\$5,000."

Mr. SMOOT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. VARDAMAN. Mr. President, a parliamentary inquiry. Let it be understood that those who vote for raising the appropriation from five to eight thousand dollars will vote "nay" and those in favor of the Senate amendment will vote "yea."

The PRESIDING OFFICER. Yes; those in favor of striking out "\$8,000" and inserting in lieu thereof "\$5,000" will signify it by saying "yea" when their names are called. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). I transfer my pair with the junior Senator from Connecticut [Mr. McLEAN], who is absent, to the junior Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. SAULSBURY (when his name was called). Making the same announcement as before, I vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. I transfer that pair to the senior Senator from Ohio [Mr. POMERENE] and vote "nay."

The roll call was concluded.

Mr. JONES. Making the same announcement that I have made before with reference to my pair with the junior Senator from Virginia [Mr. SWANSON], I withhold my vote.

Mr. VARDAMAN (after having voted in the negative). I voted inadvertently. I have a pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and will let my vote stand.

Mr. WARREN. I desire to announce the absence of the senior Senator from New Hampshire [Mr. GALLINGER] on public business at another place. He is paired with the senior Senator from New York [Mr. O'GORMAN].

Mr. STERLING. I transfer my pair with the junior Senator from South Carolina [Mr. SMITH] to the senior Senator from Minnesota [Mr. NELSON] and vote "nay."

Mr. GRONNA (after having voted in the affirmative). I have a general pair with the senior Senator from Maine [Mr. JOHNSON], which I transfer to the senior Senator from Connecticut [Mr. BRANDEGEE] and will let my vote stand.

Mr. WALSH. I transfer my pair with the senior Senator from Rhode Island [Mr. LIPPITT], as announced on an earlier roll call, and vote "nay."

Mr. CATRON. I am paired with the junior Senator from Oklahoma [Mr. OWEN], who is not present. I transfer that pair to the senior Senator from California [Mr. WORKS] and vote "nay."

Mr. CLAPP. Mr. President, I feel at liberty to ignore my pair on many of these items, according to an understanding with him, but I doubt it as to this question, and therefore refrain from voting. I simply desire to announce the pair that I may assist in making a quorum.

## YEAS—14.

Borah	Lane	Shafroth	Warren
Curtis	McCumber	Smoot	Weeks
Dillingham	Page	Thomas	
Gronna	Polindexter	Wadsworth	

## NAYS—26.

Ashurst	Hardwick	Myers	Sterling
Bankhead	Hollis	Phelan	Thompson
Bryan	Hughes	Pittman	Underwood
Catron	James	Robinson	Vardaman
Chamberlain	Lee, Md.	Saulsbury	Walsh
Culberson	Martin, Va.	Sheppard	
Fletcher	Martine, N. J.	Smith, Md.	

## NOT VOTING—56.

Beckham	Clapp	Fall	Harding
Brady	Clark	Fernald	Hitchcock
Brandegge	Colt	Gallinger	Husting
Broussard	Cummins	Goff	Johnson, Me.
Chilton	du pont	Gore	Johnson, S. Dak.



Jones	McLean	Pomerene	Smith, S. C.
Kenyon	Nelson	Ransdell	Stone
Kern	Newlands	Reed	Sutherland
Kirby	Norris	Sherman	Swanson
La Follette	O'Gorman	Shields	Tillman
Lea, Tenn.	Oliver	Simmons	Townsend
Lewis	Overman	Smith, Ariz.	Watson
Lippitt	Owen	Smith, Ga.	Williams
Lodge	Penrose	Smith, Mich.	Works

The PRESIDING OFFICER. Upon the question of the adoption of the committee amendment striking out "\$8,000" and inserting "\$5,000," the yeas are 14, the nays are 26, Senators JONES, CLAPP, and LEWIS being present and not voting. Altogether, that does not constitute a quorum.

Mr. ASHURST. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The Chair suggests that the Secretary first call the roll so that the names of the absentees may be ascertained.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Newlands	Sherman
Borah	Hughes	Overman	Smoot
Bryan	James	Page	Sterling
Catron	Jones	Phelan	Thomas
Chamberlain	Lane	Pittman	Tillman
Clapp	Lewis	Robinson	Underwood
Curtis	McCumber	Saulsbury	Warren
Fletcher	Martin, Va.	Shafroth	Weeks
Gronna	Myers	Sheppard	

Mr. WARREN. I again announce the absence of the Senator from New Hampshire [Mr. GALLINGER]. He is attending a committee meeting and is paired with the Senator from New York [Mr. O'GORMAN].

The PRESIDING OFFICER. Thirty-five Senators have answered to their names. There is not a quorum present.

Mr. SMOOT. Evidently we can not get a quorum; it is Saturday afternoon, and I move that the Senate adjourn.

On a division the Senate refused to adjourn.

Mr. FLETCHER. Let the roll of absent Senators be called.

The PRESIDING OFFICER. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. RANDELL and Mr. THOMPSON answered to their names when called.

The PRESIDING OFFICER. Thirty-seven Senators have answered to their names. There is not a quorum present.

Mr. ROBINSON. I move that the Senate adjourn until 11 o'clock Monday.

Mr. THOMAS. A point of order, Mr. President. Have we authority in the absence of a quorum to adjourn to an hour different from that fixed by the order of the Senate as the regular hour of meeting?

The PRESIDING OFFICER. The point of order is sustained. The Senate can only adjourn until 12 o'clock in the absence of a quorum.

Mr. ROBINSON. I move that the Senate do now adjourn.

On a division, the Senate refused to adjourn.

Mr. JONES. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. LEE of Maryland, Mr. TOWNSEND, and Mr. SMITH of Georgia entered the Chamber and answered to their names.

Mr. ROBINSON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. VARDAMAN, Mr. CLARK, Mr. HARDWICK, Mr. BANKHEAD, Mr. WADSWORTH, Mr. FERNALD, Mr. MARTINE of New Jersey, and Mr. WALSH entered the Chamber and answered to their names.

Mr. LEWIS. May I ask for information how many Senators appear by the roll to be present?

The PRESIDING OFFICER. Forty-seven Senators have answered to their names.

Mr. VARDAMAN. Mr. President, it is manifest that we are not going to do anything here this afternoon. After conference with the chairman of the committee I move that the Senate adjourn until 11 o'clock on Monday.

Mr. JONES. I make the point of order that that can not be done.

The PRESIDING OFFICER. The Senator from Washington makes the point of order that that motion can not be made in the absence of a quorum, and the point of order is sustained.

Mr. VARDAMAN. I move that the Senate adjourn.

On a division the motion was agreed to, and (at 2 o'clock and 52 minutes p. m.) the Senate adjourned until Monday, January 29, 1917, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

SATURDAY, January 27, 1917.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, we lift up our hearts in gratitude to Thee for the profound interest agitating the minds and hearts of men individually and collectively throughout the world with a view of devising ways and means by which the wars now raging may be brought to an end and through which a basis may be reached upon which a world-wide peace may be established; that peace may become stronger than the brutal instincts which lead to war with its unmitigated evils; that liberty, justice, and equal rights for all may be maintained in brotherly love and purity.

Our hearts have been touched by the death of a Member of this House; and we pray that his colleagues, friends, bereaved wife and children may be comforted in their sorrow by the blessed hope and promises of the immortality of the soul through Him who died and rose again into life everlasting. Amen.

The Journal of the proceedings of yesterday was read and approved.

### EXTENSION OF REMARKS.

Mr. KETTNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

### BRIDGE ACROSS ALLEGHENY RIVER, N. Y.

Mr. BENNETT. Mr. Speaker, I ask the Chair to lay before the House Senate bill 7537, authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River, in the town of Allegheny, county of Cattaraugus, N. Y., on the Speaker's table, a bill of like tenor being on the House Calendar.

The SPEAKER. The Chair lays before the House Senate bill 7537, which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.,* That the Western New York & Pennsylvania Railway Co., a railroad corporation organized and existing under the laws of the States of New York and Pennsylvania, be, and it is hereby, authorized to reconstruct, maintain, and operate a bridge and approaches thereto across the Allegheny River, on the location of the existing structure and suitable to the interest of navigation, in the town of Allegheny, county of Cattaraugus, and State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. BENNETT. Mr. Speaker, I offer the following amendment:

On line 9, strike out the word "Allegheny" and insert in lieu thereof the word "Alleghany."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Page 1, line 9, strike out the word "Allegheny" and insert in lieu thereof the word "Alleghany."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to conform to the text.

By unanimous consent, a House bill of similar tenor (H. R. 19298) was laid on the table.

### PENSIONS.

The SPEAKER. Under the special order made yesterday the Chair recognizes the gentleman from Colorado [Mr. KEATING] to conclude the pension bill (H. R. 20496).

Mr. KEATING. Mr. Speaker, when we adjourned yesterday an amendment was pending, which I ask to have the Clerk again report.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 17, line 14, strike out "\$17" and insert "\$24."

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Indiana.



Mr. HUDDLESTON. Mr. Speaker, I wish to be heard in opposition to the amendment. The gentleman from Indiana [Mr. CLINE] yesterday afternoon made a very eloquent appeal on behalf of this pensioner. The case is a pathetic one. There is no doubt about that. The committee has many difficulties to meet with in handling these pension claims. Are we to be influenced wholly by pathos? Are we to turn over the Treasury to people merely because they are destitute? Are we to make need the test in granting pensions? If so, this is a worthy case, and I suppose we might as well start with it; but there are thousands of cases of destitution, Mr. Speaker. In no case that is presented to the committee is there anything but destitution. In many cases the destitution is most pitiful, and the person asking for the pension is undoubtedly an object of charity. But the Pension Committee has taken the position that they are not justified in opening up the Treasury merely because their feelings may have been reached.

The case referred to by the gentleman from Indiana is a pathetic case, but I want to assure the House that many cases that come before the committee are just as pathetic. There are hundreds of cases just as pathetic. This man is already getting a pension. The committee resolved every doubt in his favor and gave him an increase, thinking perhaps he was entitled to something additional. But if we are to open up a pension bill every time we bring it in here and allow a plea of pathos to be presented to us, then I want to say there will be no end to the granting of pensions.

There must be some limitations; there must be some rule. Let me read from the report of the committee, and I want to say that this report was not prepared to sustain an adverse decision on this claim, but is prepared by the examiner so as to clearly show the facts. This is the report:

Soldier filed and established a claim under the general law and was allowed \$10 per month from August 12, 1910, for disease of the bowels and stomach, which he now receives. A claim for increase in rate was rejected recently on the ground the present rate is adequate to cover the disability for which pensioned. The Bureau of Pensions refuses to accept paralysis as result of disease of bowels and stomach for which he is now receiving a pension of \$10 per month. A physician testifies, in 1915, that he is totally incapacitated to perform manual labor, as he suffers from gastrointestinal catarrh, intestinal indigestion, and habitual constipation alternating with diarrhea, and atrophied lower limbs, which are paralyzed.

Mr. Speaker, if the paralysis is the result of his service, then \$24 is not adequate, but the committee believes that that paralysis is not due to his service, that it is due to some other cause. It is true the pensioner tries to make a showing of fact that might make it possible that the paralysis was due to his service, but we find it is not so. We have sat upon the evidence laid before us as a jury, and have returned a verdict that the paralysis is not due to his service. We thought perhaps his disease of the bowels was sufficient to justify some increase, and we wanted to give the man the benefit of every doubt. We have given him the benefit of every doubt, and have increased his pension from \$10 a month, which is all the bureau would allow him, to \$17 a month, and now the gentleman wants to give him \$7 a month more. There will be no end to this business if it is once started.

Mr. LANGLEY rose.

Mr. HUDDLESTON. Does the gentleman from Kentucky desire to ask a question?

Mr. LANGLEY. I believe the gentleman's statement, together with what he read from the report, covers what I had in mind. From what the gentleman says the chief portion of this soldier's disability is clearly not due to the service.

Mr. HUDDLESTON. That is the situation.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. CLINE. Mr. Speaker, I ask unanimous consent that the gentleman may continue for two minutes more.

The SPEAKER. Is there objection?

Mr. SHERLEY. Reserving the right to object, Mr. Speaker, I would like to make an inquiry. I had a plain understanding yesterday that if the consideration of the fortification bill was not pressed and I would permit the pension bill to come up, that this morning immediately after the reading of the Journal we might go into the Committee of the Whole for the consideration of that bill. Last evening, very late, an agreement was entered into to take up the pension bill this morning as unfinished business. I do not want to seem disagreeable, but I think it is important that the supply bills be passed. I would like to inquire how much time is going to be taken in the consideration of this bill. If there is to be an extension of debate it evidently will take considerable time.

Mr. KEATING. Mr. Speaker, as the Chair and gentlemen know who were present last night when the agreement was entered into by which the bill was made in order after the read-

ing of the Journal, the gentleman from South Carolina [Mr. LEVER] was anxious to present to the House resolutions upon the death of Mr. FINLEY, and was anxious to have those resolutions messaged to the Senate. We agreed to give way in order that the resolutions might be considered. Because of that the House, by unanimous consent, agreed that the bill should be taken up this morning. I was about to object to any extension of debate, because we are anxious to proceed with the bill, and I ask for a vote on the amendment.

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. CLINE) there were 27 ayes and 40 noes.

So the amendment was rejected.

The Clerk completed the reading of the bill.

Mr. HUDDLESTON. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Insert the following as a new section:

"The name of Margaret A. Weed, former widow of Samuel Henry, late of Capt. Bacon's Kentucky Militia, War of 1812, and pay her a pension of \$20 per month."

The SPEAKER. The question is on the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. HUDDLESTON) there were 41 ayes and no noes.

So the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEATING, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### QUESTION OF PRIVILEGE.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20453.

Mr. RAGSDALE. Mr. Speaker, I rise to a question of privilege, and I ask that the resolution I send to the desk be read.

The Clerk read as follows:

#### House resolution 473.

Whereas the report of the colloquy between Messrs. NORTON of North Dakota, FESS of Ohio, HEFLIN of Alabama, and RAGSDALE of South Carolina as printed in the RECORD of January 25, 1917, differs from the official reports of the colloquy, as will be shown by reference to the typewritten reports now on file and the printed report of the RECORD of January 25, 1917:

Resolved, That the RECORD of January 25, 1917, be amended by printing the colloquies between Messrs. NORTON of North Dakota, FESS of Ohio, HEFLIN of Alabama, and RAGSDALE of South Carolina as reported by the Official Reporters of the House.

Mr. SHERLEY. Mr. Speaker, I make the point that that is not a privileged resolution.

The SPEAKER. The Chair thinks it is a privileged resolution, as it goes to the good order of the House. The Chair investigated that matter yesterday.

Mr. HEFLIN rose.

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. HEFLIN. I would like to agree on some time with the gentleman from South Carolina to discuss the resolution. I want to be heard on it myself, if we can agree on the time. He can advocate the resolution and I most respectfully ask an opportunity to reply.

The SPEAKER. Does the gentleman from South Carolina want any time on this resolution?

Mr. RAGSDALE. I do not; I do not care to be interrupted by anyone. The facts are the official record does not agree with the printed RECORD. It is not within my province to determine which is right. I have no objection to the gentleman from Alabama making any statement that he may make, or to show that the report of the Official Reporters is incorrect. All I ask is that the official report made by the reporters of this House be put into the RECORD. That is all I ask. Surely there can be nothing wrong in that, and nothing that should offend the feelings of the gentleman from Alabama in that request.

Mr. HEFLIN. Mr. Speaker, I did revise my remarks, as every man in this House does who has wisdom enough to say anything that is worth saying. While I did revise my remarks, the points made are the ones stated on the floor of the House, and I stand ready to prove that by Democratic Members who were present. It may be that the reporter was a little more friendly inclined to the Member from South Carolina who was aiding the Republican Party in his assault on the Democratic administration. That may be; and that the reporters failed to note some of the things that were said, as they did on yesterday, when I asked the gentleman from North Carolina [Mr. KITCHIN] to withdraw his objection to Mr. RAGSDALE's suggestion to proceed with this matter, and the stenographic report



does not show that. I do not wonder that the gentleman from South Carolina objects, for the Democrats in his district—

The SPEAKER. The gentleman from Alabama will confine himself to the resolution.

Mr. HEFLIN. I am speaking on the resolution.

The SPEAKER. The gentleman may be speaking on it, but he is not speaking about it. [Laughter.]

Mr. HEFLIN. If the Speaker of the House will not permit me to discuss and give my reasons for the remarks that I made here, which the gentleman from South Carolina wants to change, then I am at the mercy of the Speaker of the House.

The SPEAKER. Well, it is the business of the Speaker of the House to keep order here.

Mr. HEFLIN. Now, Mr. Speaker, I want to speak in order and in my own way.

The SPEAKER. The gentleman from Alabama will proceed in order.

Mr. HEFLIN. Mr. Speaker, I hope I will not transgress the rules of the House. I was merely stating here that the gentleman's speech day before yesterday to which I replied was applauded by the Republican side. He was attacking—and unwarrantedly—the Democratic Secretary of War, and I replied to that speech. He was applauded by the Republicans of the House. In my speech, according to the stenographer's printed report, there were some Republican interruptions without my consent, designed to aid the gentleman from South Carolina in his attack on the Democratic administration, and I struck them out. [Laughter.]

I had the right to strike them out under the rules of the House; no Member has the right to inject himself into your speech unless you yield to him, and no bunch of Republicans can by their noise cause you to stop your speech and hold you up in order to aid the gentleman from South Carolina. I did not yield to them. Why should I let that boisterous aid to the gentleman from South Carolina [Mr. RAGSDALE] appear in the belly of my speech. [Applause.] I did not want it in there. [Applause on the Democratic side.] I did not yield to them, and when I struck that out of my speech I did the greatest kindness that could have been done to the gentleman from South Carolina [Mr. RAGSDALE]. It would have been better, not for him but for somebody else—the Democrats of his district—if I had permitted that Republican applause to remain. It never was injected into my speech until I called attention to the fact that they, the Republicans, were applauding his attack upon a Democratic administration; and all this after he had sought at the White House an indorsement to aid him in his candidacy in the congressional primary in his district and it was refused.

Mr. FOSTER. Mr. Speaker, I think the gentleman has the right to defend himself; but I think not in this way, it seems to me.

Mr. HEFLIN. Mr. Speaker, then I will confine myself immediately to the matter in hand. The gentleman from South Carolina, before his speech day before yesterday, obtained some data from the Secretary of War, and the Secretary of War gave him the information for his personal benefit and requested him not to use it publicly, but just as soon as he got it, or shortly thereafter, he made it public and used it in this House, and the RECORD bears out that statement, and my information from the War Department to-day sustains my statement in this matter.

The SPEAKER. The Chair will suggest to the gentleman from Alabama that the sole question before the House is whether the stenographers' notes shall be published in the RECORD. These extraneous matters have nothing to do with it.

Mr. HEFLIN. As to that, I wish to say that the stenographic report did not show applause following the points that I made, replying to the speech of the gentleman from South Carolina, but I stand ready to prove by the majority leader of the House that he applauded those sentiments, and that Mr. BLACK of Texas and Mr. HOWARD of Georgia and others applauded those sentiments. Now, am I to let the gentleman from South Carolina, by the aid of a Republican stenographer who may be in sympathy with him in his attack on the Democratic administration, deprive me of my right to show the facts? I will tell you how to settle this question. Ask for a committee of five to be appointed, three Democrats and two Republicans—true, the Republicans are partisans, but when they assail the Democratic side they are speaking as Republicans, and when a Democrat attacks the administration he ought to go over there on the Republican side with those with whom he consorts and do in the open what he does here in private. Mr. Speaker, I suggest that the Speaker appoint five members to take testimony about this matter and see whether or not my revised remarks are in fact in substance just what I said

on the floor of the House. As I have said, I admit that I revised my remarks, but no handclapping or applause noted in my speech appears except where Democrats applauded, and I stand ready to produce the proof by Democrats. [Applause; and applause on Democratic side.] Is the gentleman willing to let that committee report to this House as to whether or not he in his contention is right or whether I am right? Now, I do not wonder at the gentleman wanting to straighten out this thing, and his district in South Carolina is entitled to have a Democrat here who will support Democratic policies and principles in this House.

The SPEAKER. The gentleman must confine his remarks to this resolution.

Mr. HEFLIN. Mr. Speaker, I am trying my best to confine my remarks to the issue in this case. Now, I suggest that to the Speaker, that he appoint a committee to take testimony and investigate this whole matter. I have witnesses to produce, and let the stenographer testify. I resist the motion to submit the case upon the notes of the Republican stenographer, but I ask for the testimony of loyal Democrats in this House.

Mr. Speaker, I make the motion as a substitute that the Speaker appoint a committee of three Democrats and two Republicans to take this matter in hand and investigate it, to have witnesses come before it, and have the stenographic reports, and to report back to this House as to whether or not I made the speech, in substance, on the floor of the House that appears in the RECORD.

The SPEAKER. If the gentleman will send his substitute up, the Chair will put it.

Mr. KITCHIN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from North Carolina rise?

Mr. KITCHIN. I would suggest myself that a committee of three be appointed to look into this matter and report to the House. Of course no man's speech of any length, unless written beforehand, has ever been printed in the RECORD exactly like the stenographer's notes, because he has the right to revise. Sometimes there are grammatical mistakes. Very frequently part of what Members say is omitted from the notes, and I do not think it has ever occurred in the history of the Congress where a man's speech has been required to be put in the RECORD in exact accordance with the notes.

Mr. MADDEN. I wish to say to the gentleman that nine times out of ten I never revise my speeches.

Mr. MANN. And I have never seen a speech or the notes of a speech that I have put in the RECORD for 10 years.

Mr. KITCHIN. You will notice that the speeches of the gentlemen in the RECORD are better than they are when made on the floor sometimes.

Mr. MANN. The gentleman is less excited when he reads them. Of course I know very well the gentleman's speeches are vastly improved by revision over what they are when they are made. My speeches are not revised.

Mr. KITCHIN. They ought to be. No doubt about that.

Mr. MANN. Perhaps they would be improved if they were, but the gentleman's certainly are.

Mr. KITCHIN. I really think, Mr. Speaker, we ought not to delay this matter. This is unfortunate. Let a committee of three be appointed to investigate the matter and make the corrections in the speeches or whatever it should be. I hope the gentleman from South Carolina [Mr. RAGSDALE] will agree to this.

Mr. RAGSDALE. I can not.

Now, Mr. Speaker—

Mr. KITCHIN. Then I move as a substitute for that that a committee of three be appointed.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] moves as a substitute for the gentleman's resolution that a committee of three be appointed by the Chair to investigate the matter.

Mr. MANN. Mr. Speaker, a point of order. I doubt whether a substitute is in order. Of course it would be in order to refer the resolution to a committee of three.

Mr. KITCHIN. I make the motion, then, to refer that resolution to a committee of three to make the investigation, and on that I move the previous question.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] moves—

Mr. RAGSDALE. Now, Mr. Speaker—

The SPEAKER. The gentleman will suspend a moment until the Chair states this thing. The gentleman from North Carolina [Mr. KITCHIN] moves that this controversy, this resolution, and the whole thing be referred to a committee of three to be appointed by the Chair.



Mr. KITCHIN. Mr. Speaker, I withdraw the demand for the previous question for a moment, so that the gentleman may have five minutes.

Mr. HEFLIN. Let us have five minutes each to discuss this motion of the gentleman.

The SPEAKER. The gentleman from Alabama [Mr. HEFLIN] asks unanimous consent that each—

Mr. KITCHIN. Then, Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from North Carolina moves the previous question.

Mr. RAGSDALE. It comes too late, for I have the floor.

The SPEAKER. The trouble about that is that the gentleman from South Carolina never had the floor.

Mr. RAGSDALE. The Chair recognized me after the gentleman withdrew his motion, and I was recognized by the Chair and came up here to speak. With all due deference to the Chair—

The SPEAKER. I believe the gentleman states the facts as they are.

Mr. RAGSDALE. Mr. Speaker, I have no desire that there shall be any feeling in this matter. I shall not attempt at this time to defend my Democracy. I have to account to no man here for the positions that I have taken on this floor. I have never transgressed the action of a Democratic primary, nor have I gone against a Democratic caucus. Further than these limitations on my Democracy, I answer to nobody on God's green earth but the people who have put their trust in my hands here and sent me on the floor as their Representative.

The SPEAKER. The Chair will admonish the gentleman from South Carolina—

Mr. RAGSDALE. All right, Mr. Speaker.

The SPEAKER (continuing). As he did the gentleman from Alabama [Mr. HEFLIN], to speak to this resolution.

Mr. RAGSDALE. The resolution, Mr. Speaker. All I ask in this, and the reason I oppose the substitute, is, that I do not object to a committee in order that the whole matter, after publication, be referred to a committee and there be determined whether or not it has been improperly reported. All that I ask in fairness to the gentleman from Alabama [Mr. HEFLIN] and myself is, that the gentleman from Alabama and myself, together with the gentlemen on the Republican side who engaged in the colloquy on the floor of the House, and the Official Reporters of this House who had a report of it—before that could be put in the RECORD it was corrected; it was corrected in part by myself; it was corrected in part, as the gentleman from Alabama [Mr. HEFLIN] says, by himself—now, all I ask is that there be published in the RECORD the report by the official stenographers of this House, and then let the entire matter, after being printed in the RECORD, be referred to this committee to determine the correctness of this report and the correctness of the corrections made by the gentleman from Alabama. But, Mr. Speaker, is it fair for my colleague, in the course of his remarks, as the gentleman from Alabama [Mr. HEFLIN] well knows, to refer to the "hickory-nut hills of South Carolina" and seek to bring in here by way of ridicule the name of the State that I represent here? Then, when he changed that in the remarks he has in-written there the words "Laughter" and "Laughter and applause on the Democratic side" and stricken out "Applause on the Republican side."

When those things have been done and the RECORD shows it, ought not the whole record to be published, and ought it not to come to all the Democratic Members of the House, so that they would have the whole record, and, having the whole record, refer this to a committee of three and let that committee determine whether or not this is correct? God knows I do not want any unfair advantage. I do not want anything to be done that is improper or unfair. What I want is that the truth be known. God knows every honest man who wants the truth wants to see that this record should be kept straight, and that the official stenographers, who are attacked in this report, should have vindication from the committee, and have it shown that they have written correctly what is printed in the RECORD.

Mr. KITCHIN. Now, Mr. Speaker, I renew my motion for the previous question.

The SPEAKER. The gentleman from North Carolina moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the substitute offered by the gentleman from North Carolina [Mr. KITCHIN] to refer the resolution of the gentleman from South Carolina [Mr. RAGSDALE] to a committee of three to be appointed by the Speaker.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. RAGSDALE. A division, Mr. Speaker.

The SPEAKER. A division is demanded. Those in favor of the motion will rise and stand until they are counted. [After counting.] Fifty gentlemen have risen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Sixty-eight gentlemen have risen in the negative. On this question the ayes are 50 and the noes are 68.

Mr. ALMON. Mr. Speaker, I demand tellers.

The SPEAKER. The gentleman from Alabama demands tellers.

Mr. KINCHELOE. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. HEFLIN. We would like to have a roll call on it.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-nine gentlemen are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is to refer the Ragsdale resolution to a committee of three to be appointed by the Speaker.

The question was taken; and there were—yeas 147, nays 137, answered "present" 23, not voting 126, as follows:

## YEAS—147.

Abercrombie	Dooling	Igoe	Saunders
Alexander	Doolittle	Jacoway	Sears
Allen	Doughton	Keating	Shackleford
Almon	Eagan	Kincheloe	Shallenberger
Ashbrook	Edwards	Kitchin	Sherley
Aswell	Estopinal	Konop	Sherwood
Ayres	Evans	Lazaro	Sisson
Barkley	Farley	Linthicum	Smith, N. Y.
Bell	Ferris	McAndrews	Smith, Tex.
Black	Fields	McClintic	Sparkman
Blackmon	Fitzgerald	McDermott	Stegall
Booher	Foster	McGillicuddy	Stedman
Borland	Gallivan	Mays	Steele, Iowa
Brumbaugh	Gard	Montague	Steele, Pa.
Buchanan, Ill.	Garner	Moon	Stephens, Miss.
Buchanan, Tex.	Garrett	Morrison	Stephens, Nebr.
Burgess	Godwin, N. C.	Murray	Stephens, Tex.
Burke	Gordon	Neely	Stone
Burnett	Gray, Ala.	Oldfield	Sumners
Byrnes, Tenn.	Hamlin	Olney	Taggart
Callaway	Hardy	O'Shaunessy	Tague
Candler, Miss.	Harrison, Va.	Overmyer	Tavener
Caraway	Hastings	Padgett	Taylor, Ark.
Carlin	Hayden	Park	Taylor, Colo.
Church	Healin	Phelan	Thomas
Clark, Fla.	Helm	Quin	Thompson
Coady	Helvering	Rainey	Tillman
Collier	Hensley	Raker	Vinson
Connelly	Holland	Randall	Watkins
Cox	Hollingsworth	Rayburn	Watson, Va.
Cullop	Hood	Reilly	Webb
Davis, Tex.	Houston	Rouse	Whaley
Decker	Howard	Ruby	Williams, W. E.
Dent	Huddleston	Rucker, Ga.	Wilson, La.
Dewalt	Hughes	Rucker, Mo.	Wise
Dill	Hubert	Russell, Mo.	Young, Tex.
Dixon	Humphreys, Miss.	Sabath	

## NAYS—137.

Anderson	Gillett	McLaughlin	Sinnott
Bennet	Glynn	Madden	Slemp
Bowers	Good	Magee	Sloan
Browne	Green, Iowa	Mann	Smith, Idaho.
Cannon	Greene, Mass.	Mapes	Smith, Mich.
Capstick	Greene, Vt.	Martin	Smith, Minn.
Carter, Mass.	Guernsey	Matthews	Snell
Cary	Hadley	Meeker	Snyder
Chandler, N. Y.	Hamilton, Mich.	Miller, Minn.	Stafford
Charles	Haugen	Mondell	Steenerson
Chipfield	Hawley	Moore, Pa.	Sterling
Cline	Hayes	Moores, Ind.	Stiness
Cooper, W. Va.	Heaton	Morgan, Okla.	Sulloway
Copley	Helgesen	Mott	Sutherland
Cramton	Hernandez	Nelson	Sweet
Curry	Hicks	Nolan	Switzer
Dale, Vt.	Hull, Iowa	North	Temple
Dallinger	James	Norton	Tilson
Danforth	Kearns	Oakey	Timberlake
Darrow	Keister	Paige, Mass.	Towner
Dempsey	Kennedy, R. I.	Parker, N. J.	Treadway
Denison	Kiess, Pa.	Parker, N. Y.	Volstead
Dillon	King	Porter	Walsh
Dowell	Kinkaid	Powers	Wason
Dyer	Kreider	Ragsdale	Watson, Pa.
Ellsworth	La Follette	Ramseyer	Williams, T. S.
Elston	Langley	Reavis	Williams, Ohio
Emerson	Lenroot	Ricketts	Wilson, Ill.
Fess	Longworth	Roberts, Mass.	Winslow
Focht	McArthur	Roberts, Nev.	Woods, Iowa
Fordney	McCracken	Rodenberg	Woodyard
Foss	McCulloch	Rogers	Young, N. Dak.
Freeman	McFadden	Rowe	
Fuller	McKenzie	Russell, Ohio	
Garland	McKinley	Sier, Ill.	

## ANSWERED "PRESENT"—23.

Alken	Harrison, Miss.	Lloyd	Shouse
Austin	Hilliard	London	Sims
Butler	Kent	McLemore	Walker
Byrnes, S. C.	Kettner	Nicholls, S. C.	Wheeler
Dies	Lever	Page, N. C.	Wingo
Gallagher	Lindbergh	Schall	



## NOT VOTING—126.

Adair	Doremus	Howell	Mudd
Adamson	Driscoll	Hull, Tenn.	Nichols, Mich.
Anthony	Drukker	Humphrey, Wash.	Oglesby
Bacharach	Dunn	Husted	Oliver
Bailey	Dupré	Hutchinson	Patten
Barchfeld	Eagle	Johnson, Ky.	Peters
Barnhart	Edmonds	Johnson, S. Dak.	Platt
Beakes	Egan	Johnson, Wash.	Pou
Beales	Fairchild	Jones	Pratt
Benedict	Farr	Kahn	Price
Britt	Flood	Kelley	Rauch
Britten	Flynn	Kennedy, Iowa	Riordan
Browning	Frear	Key, Ohio	Rowland
Bruckner	Gandy	Lafean	Sanford
Caldwell	Gardner	Lee	Scott, Mich.
Campbell	Glass	Lehlbach	Scott, Pa.
Cantrill	Goodwin, Ark.	Leshner	Scully
Carew	Gould	Lewis	Sells
Carter, Okla.	Graham	Lieb	Slayden
Casey	Gray, Ind.	Liebel	Small
Coleman	Gray, N. J.	Littlepage	Stout
Conry	Gregg	Lobeck	Swift
Cooper, Ohio	Griest	Loft	Talbott
Cooper, Wis.	Griffin	Loud	Tinkham
Costello	Hamill	McKellar	Van Dyke
Crago	Hamilton, N. Y.	Maher	Vare
Crisp	Hart	Miller, Del.	Venable
Crosser	Haskell	Miller, Pa.	Ward
Dale, N. Y.	Henry	Mooney	Wilson, Fla.
Davenport	Hill	Morgan, La.	Wood, Ind.
Davis, Minn.	Hinds	Morin	
Dickinson	Hopwood	Moss	

So the motion of Mr. KITCHIN was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. RIORDAN with Mr. WARD.

Until January 31:

Mr. ADAMSON with Mr. ESCH.

Until further notice:

Mr. LITTLEPAGE with Mr. BARCHFELD.

Mr. McKELLAR with Mr. GOULD.

Mr. MORGAN of Louisiana with Mr. HAMILTON of New York.

Mr. DAVENPORT with Mr. COOPER of Ohio.

Mr. BAILEY with Mr. TINKHAM.

Mr. DALE of New York with Mr. PETERS.

Mr. GREGG with Mr. HILL.

Mr. BRUCKNER with Mr. PRATT.

Mr. GRIFFIN with Mr. SELLS.

Mr. MAHER with Mr. SANFORD.

Mr. TALBOTT with Mr. BUTLER.

Mr. ADAIR with Mr. HINDS.

Mr. BARNHART with Mr. HOPWOOD.

Mr. HART with Mr. SCOTT of Michigan.

Mr. HAMILL with Mr. ROWLAND.

Mr. BEAKES with Mr. HOWELL.

Mr. CALDWELL with Mr. HUSTED.

Mr. CANTRILL with Mr. JOHNSON of Washington.

Mr. GRAY of Indiana with Mr. PLATT.

Mr. CAREW with Mr. JOHNSON of South Dakota.

Mr. CARTER of Oklahoma with Mr. KAHN.

Mr. CASEY with Mr. KELLEY.

Mr. GOODWIN of Arkansas with Mr. NICHOLS of Michigan.

Mr. GLASS with Mr. MOONEY.

Mr. GANDY with Mr. MUDD.

Mr. FLYNN with Mr. MILLER of Delaware.

Mr. FLOOD with Mr. LAFEAN.

Mr. EAGLE with Mr. LOUD.

Mr. DUPRÉ with Mr. KENNEDY of Iowa.

Mr. DRISCOLL with Mr. LEHLBACH.

Mr. CONRY with Mr. MILLER of Pennsylvania.

Mr. CROSSER with Mr. ANTHONY.

Mr. DICKINSON with Mr. COSTELLO.

Mr. DOREMUS with Mr. CAMPBELL.

Mr. HENRY with Mr. BEALES.

Mr. HULL of Tennessee with Mr. BENEDICT.

Mr. WILSON of Florida with Mr. BRITTEN.

Mr. JONES with Mr. BROWNING.

Mr. KEY of Ohio with Mr. BRITT.

Mr. LEE with Mr. COLEMAN.

Mr. LESHER with Mr. CRAGO.

Mr. LIEBEL with Mr. DAVIS of Minnesota.

Mr. LOBECK with Mr. DRUKKER.

Mr. LOFT with Mr. EDMONDS.

Mr. PATTEN with Mr. FAIRCHILD.

Mr. MOSS with Mr. FARR.

Mr. LEWIS with Mr. FREAR.

Mr. OGLESBY with Mr. GRAHAM.

Mr. OLIVER with Mr. GRAY of New Jersey.

Mr. POU with Mr. GRIEST.

Mr. RAUCH with Mr. HUTCHINSON.

Mr. PRICE with Mr. HASKELL.

Mr. VENABLE with Mr. SCOTT of Pennsylvania.

Mr. SCULLY with Mr. PETERS.

Mr. SLAYDEN with Mr. MORIN.

Mr. SMALL with Mr. VARE.

Mr. VAN DYKE with Mr. SWIFT.

Mr. STOUT with Mr. WOOD of Indiana.

Mr. BUTLER. Mr. Speaker, I voted in the negative. I have a pair with the gentleman from Maryland, Mr. TALBOTT. I withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. The motion of the gentleman from North Carolina prevails, and the Chair appoints Mr. DIXON of Indiana, Mr. ALLEN of Ohio, and Mr. FESS of Ohio.

Mr. FESS. Mr. Speaker, inasmuch as I am incidentally mixed up in this matter, I ask the Speaker to appoint some one else in my place.

The SPEAKER. Instead of the gentleman from Ohio [Mr. FESS] the Chair appoints the gentleman from Wyoming [Mr. MONDELL].

## LEAVE OF ABSENCE.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that my colleague [Mr. SCOTT] may be excused indefinitely, on account of serious illness in his family.

The SPEAKER. The gentleman asks unanimous consent that his colleague [Mr. SCOTT] may be excused indefinitely, on account of serious illness in his family. Is there objection?

There was no objection.

## WHEAT AND FLOUR.

Mr. MOORE of Pennsylvania. I ask unanimous consent to extend in the RECORD my remarks on wheat and flour.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on wheat and flour. Is there objection?

There was no objection.

## INAUGURATION OF THE PRESIDENT.

Mr. RUCKER of Missouri. Mr. Speaker, I desire to call up Senate joint resolution 202, now on the Speaker's table, and ask unanimous consent for its present consideration.

The Speaker laid before the House the joint resolution (S. J. Res. 202) to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States on March 5, 1917.

The Clerk read the title of the joint resolution.

The SPEAKER. The gentleman from Missouri [Mr. RUCKER] asks unanimous consent for the present consideration of the joint resolution. Is there objection?

Mr. MANN. I ask to have the joint resolution reported.

The SPEAKER. The Clerk will report it.

The Clerk read the joint resolution, as follows:

*Resolved, etc., That to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States, March 5, 1917, in accordance with such program as may be adopted by the joint committee of the Senate and House of Representatives appointed under a concurrent resolution of the two Houses, including the pay for extra police for three days, at \$3 per day, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$35,000, or so much thereof as may be necessary, the same to be immediately available; payment to be made upon vouchers approved by the chairman of said joint committee.*

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to a third reading, and was accordingly read the third time and passed.

## COUNTING THE ELECTORAL VOTE.

Mr. RUCKER of Missouri. Mr. Speaker, I call up Senate concurrent resolution 30 and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a concurrent resolution, which the Clerk will report in full.

The Clerk read as follows:

## Senate concurrent resolution 30.

*Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall assemble in the Hall of the House of Representatives on Wednesday, the 14th day of February, 1917, at 1 o'clock in the afternoon, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes*



as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The SPEAKER. Is there objection?

There was no objection.

The concurrent resolution was agreed to; and the Speaker announced as tellers on the part of the House Messrs. RUCKER of Missouri and MAPES.

On motion of Mr. RUCKER of Missouri, a motion to reconsider the vote by which the joint resolution (S. J. Res. 202) was passed and the vote by which the concurrent resolution (S. Con. Res. 30) was agreed to was laid on the table.

#### FORTIFICATIONS.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the fortifications appropriation bill (H. R. 20453), and pending that motion I ask unanimous consent that the general debate be confined to two hours, one hour to be controlled by the gentleman from Massachusetts [Mr. GILLETT] and one hour by myself.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the fortifications appropriation bill, and pending that he asks unanimous consent that the general debate be not exceeding two hours, one half to be controlled by himself and the other half by the gentleman from Massachusetts [Mr. GILLETT]. Is there objection?

There was no objection.

The motion of Mr. SHERLEY was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 20453) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, with Mr. HOUTON in the chair.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill may be dispensed with.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I think the gentleman from Massachusetts [Mr. GILLETT] desires to be recognized.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GILLETT] is recognized for one hour.

Mr. GILLETT. Mr. Chairman, I do not intend now to enter upon any discussion of the bill itself. It was framed in the subcommittee, and from our deliberations I think I am in general accord with the gentleman from Kentucky, who is chairman of the subcommittee and who will explain the bill, and I am sure will express my opinion upon it better than I should myself. I only wish to occupy a few moments in some desultory remarks justified under the latitude of general debate.

I have noticed recently in the public press the deliberate statement of two presidents that they did not intend to observe the law—one of those was the President of the United States, and the other was the president of the Federation of Labor. One statement has been very much criticized, but I have not observed any criticism of the other. The President of the United States stated that he did not intend to suggest to Congress, as required by law, how the deficiency in revenue this year should be supplied.

Mr. GORDON. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. GORDON. What provision of the Constitution requires that of the President?

Mr. GILLETT. I will tell the gentleman in a moment. The president of the Federation of Labor said that if a law was passed forbidding strikes he could be counted upon as one who would not obey that law.

Now, I do not mean that these two refusals to obey the law are equally culpable. I do not think they are. I think the refusal of the President of the United States was careless and inconsiderate, rather than defiant and lawless, but I think that the Chief Magistrate of the Nation should be exceedingly scrupulous both in letter and spirit in conforming to every law.

Now, this was not an unnecessary or an unwise or a partisan law. It was passed in 1909 when every branch was Republican. It was passed by a Republican Congress, imposing the duty upon a Republican President, and it was passed, as I remember,

with general concurrence, because we had found that there must be cooperation between the executive and the legislative branches in providing for the deficiencies of revenue.

This law provided that the Secretary of the Treasury should report the estimates of appropriation which the different departments asked, and that then he should report the amount of revenue which could be anticipated. Then, if the appropriations needed were greater than the revenue the President should state to Congress his method of supplying that deficiency. The importance of this first step toward a budget system that is now being so much agitated was recognized by Prof. Ford, of Princeton University, who, in speaking of this provision, said:

Congress has taken a step toward connection of the powers, and has thus unwittingly started a movement of profound constitutional importance. The real hope of establishing budget control, and with it a genuine constitutional system, lies in the flow of political force in the channels thus opened.

He adds that the action taken by Congress making it the duty of the President to coordinate income and expenditure, as provided in the Smith amendment, "is the salvation of representative government in the United States."

To be sure, the Democratic platform adopted in the last convention suggested that the first step toward the budget system was that all the appropriation bills of the House should be consolidated in one committee, but I assume that that plank, like most of the other planks of Democratic platforms, was adopted just to catch votes, and with no intention that it should ever be put in force, and from that day to this not a step has been taken in this House to adopt it, although last summer we sat here for weeks after the platform had been adopted, doing nothing but waiting on the Senate. The President's refusal to conform to the law and suggestion as to how the revenue should be raised was not an accidental one or because he was not aware of the existence of the law. Answering the suggestion of the gentleman from Ohio [Mr. GORDON], who asked what constitutional obligation there was on the President, let me quote what the President himself said in his message of December, 1915, when he did come before Congress and suggest to us how we should balance the revenues and expenditures. He said:

It is made my duty by law whenever the estimates of expenditure exceed the estimate of revenue to call the attention of Congress to the fact and suggest any means of meeting the deficiency that it may be wise or possible for me to suggest. I am ready to believe that it would be my duty to do so in any case.

So, whatever the gentleman from Ohio may think, the President of the United States thinks it is his duty either under the law or without the law to make these suggestions. [Applause.]

Mr. LONGWORTH. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. LONGWORTH. Have any of these suggestions been carried out?

Mr. GILLETT. I was going to suggest something on that line.

Mr. GREEN of Iowa. Has the law been heretofore observed by his predecessor?

Mr. GILLETT. I think it has. As a matter of fact, under Republican administrations it was not the habit to have a deficiency of revenue, and so there was seldom occasion to observe the law. [Applause on the Republican side.] When that did happen once the President suggested that expenditures should be cut down to conform to the revenue.

Now, as suggested by the gentleman from Ohio, it may be that the experience of the President with his message of December, 1915, has discouraged him from repeating such suggestions. Because he suggested the revenues should be increased by new taxation on various articles—gasoline, as I remember, and motor vehicles and others—and there was at once such a popular dissatisfaction manifested that, with the usual Democratic desire to avoid unpopularity, that was the last we ever heard of those proposed taxes. The committee, if it ever considered them, never reported on them, and the administration at once abandoned them. In fact, as far as I can see, the guiding star of this administration in looking for taxation has been to levy taxes which will bear on as few persons as possible. [Applause.] Inasmuch as the taxes which the President suggested were of general application, they were very soon abandoned. Unpopularity and not injustice is what this administration has seemed to endeavor to avoid in taxation. Of course, it is hard to find any taxes that are popular.

No rogue e'er felt the halter draw  
With good opinion of the law.

I suppose the same applies to taxation, and so almost any taxation will create protest from the victims of it; but if the outcry is founded upon injustice then it ought to be remedied. If it is merely founded upon the fact that they have to pay



money when they ought to pay their share, it ought properly to be disregarded. But the President this year has declined absolutely to make us any propositions at all, and it seems to me this is the year when it would be singularly appropriate and incumbent upon him to make such suggestions, because the deficiency is so enormous.

The estimates of appropriations, exclusive of deficiency and miscellaneous items, for the fiscal year to begin July 1, 1917, and end June 30, 1918, submitted to Congress by the Executive on December 4 last aggregate \$1,654,819,654.03, the largest amount ever requested by any administration. They exceed the estimates similarly submitted at the beginning of the last session of Congress by \$368,961,845.87, and exceed the appropriations, exclusive of deficiency and miscellaneous items, for the current fiscal year by \$181,936,211.39. Every appropriation bill is increased over the amount carried for the current year with the exception of the river and harbor bill.

Mr. LONGWORTH. May I ask whether these requests include the amount to be expended under the shipping bill, the nitrate plant, the munitions plant, and so forth?

Mr. GILLETT. Yes; they include those.

The estimated revenues for the fiscal year 1918, which are to meet the estimated appropriations of \$1,654,819,654.03, amount to \$1,341,550,000, a sum which is \$313,269,654.03 less than the amount of the estimated appropriations. Since the submission of the Book of Estimates in December supplemental or additional estimates for the fiscal year 1918 amounting to \$52,500,000 have been forwarded to Congress, including \$25,000,000 for purchase of the Danish Islands. This does not constitute the total which such additional estimates will reach, and by the time the session closes the amount will no doubt be very much greater. Estimates have not been submitted for many items which will probably be appropriated for at this session. The proposal to increase by 5 and 10 per cent the salaries of certain grades of employees in the Government service will require about \$25,000,000. Various bills are pending in either the House or Senate which, if they become laws, will add very large sums to the total of appropriations. Included in this list is the public-buildings bill, the vocational-education bill, the fish-hatcheries bill, the flood-control bill, the bill to increase the pay of employees of the meat-inspection service, and a number of others. It will be seen, therefore, that the estimated appropriations, taking into account the items just mentioned, will exceed the estimated revenues for the next fiscal year by considerably more than \$400,000,000.

The daily Treasury statement of January 22, 1917, shows a working balance in the general fund of \$93,610,344.37. This would be a safe balance if it represented that amount of unpledged money. There has been deposited to that date in this fund the sum of \$51,758,311 for the retirement of outstanding national bank and Federal reserve bank notes that have been assumed by the United States. If that sum be deducted, the amount remaining is \$41,852,033.37. The sum of \$69,998,843.61 has been placed to the credit of disbursing officers and was subject to their checks to the full amount; so that instead of a general fund in the Treasury of \$93,610,344.37 on January 22, 1917, there was in reality a deficit of \$28,146,810.24. The sum of about \$100,000,000 will be necessary, therefore, to restore a working balance in the general fund.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. FESS. Why do we carry that statement of \$93,000,000 balance with that situation as it is?

Mr. GILLETT. The gentleman must ask the Secretary of the Treasury. The gentleman remembers doubtless that order which he issued just before election two or three years ago in September, which suddenly swelled the Treasury balance overnight about \$100,000,000—a mere matter of bookkeeping.

Mr. LONGWORTH. It went up from \$20,000,000 to something over \$100,000,000 overnight.

Mr. GILLETT. Yes.

Mr. BENNET. Is not that equivalent to what would happen to a man if in estimating the amount of his bank balance he simply took the amount of money he had in the bank and neglected to take account of the checks that were outstanding which he had drawn?

Mr. GILLETT. Yes; as though he did not look at his stubs. [Laughter.]

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Yes.

Mr. GORDON. Is it not a fact that under our system of collecting income taxes a very large proportion of the revenue does not come in until the end of the fiscal year?

Mr. GILLETT. I will speak of that in a moment. The disbursements for the first six months of the fiscal year 1917,

which ended on December 31, 1916, exceeded the receipts by approximately \$126,000,000. The disbursements will undoubtedly be larger during the last six months of the fiscal year than during the first six months for the reason that many appropriations made in bills for the fiscal year 1918 which will be laws before the session ends will be available for expenditure in the fiscal year 1917, and larger sums will be expended on account of the Army and Navy in the latter period than in the former. The appropriations to supply deficiencies for the fiscal year 1917 and prior years will be paid from the receipts received during the fiscal year 1917. The deficiency estimates received thus far aggregate about \$60,000,000, and do not include the larger proportion of estimates for the general deficiency bill. It should be stated that the deficiency estimates thus far include about \$36,500,000 on account of Army expenditures on the border. If the troops continue there, the figures stated above will become much larger. It is conservative to say that these estimates will aggregate at least \$100,000,000, and the appropriations under them will undoubtedly reach the figure of \$90,000,000, which the revenues of 1917 will have to meet. The prospective needs of the Treasury during the remainder of the fiscal year, over and above the receipts that will normally be received during that period, except income taxes, will be about \$340,000,000. The receipts from the income taxes on individuals and corporations are received near the end of the fiscal year, and are estimated at \$245,000,000, which leaves a requirement of additional revenue for this fiscal year of \$95,000,000.

The estimated appropriations for the fiscal year 1918 exceed the estimated revenues of that period by more than \$400,000,000, as heretofore stated. It will be seen, therefore, that additional revenue amounting to \$500,000,000 will have to be raised at this session of Congress.

When such a condition as that exists it seems to me that Congress is entitled to expect that the President will conform to what he considers the requirement of law and of his duty and suggest to us the best method to meet the extraordinary situation.

Mr. GORDON. Will the gentleman yield?

Mr. GILLETT. I will.

Mr. GORDON. How much of this deficiency was the result of defending the country against invasion?

Mr. GILLETT. I thought we had always been at peace. I thought that the political cry of the gentleman's party was that the President had preserved peace.

Mr. GORDON. That is exactly—

Mr. LONGWORTH. Especially in Ohio.

Mr. GORDON. But were we not in danger of invasion?

Mr. GILLETT. I do not think there was any serious danger of invasion which a band of cow-punchers could not have driven back.

Mr. SMITH of Michigan. Can the gentleman tell how much there was in the Treasury at the time the Democrats came in power?

Mr. GILLETT. I do not remember those exact figures; about one hundred and fifty millions, I think.

Mr. ROGERS. Will the gentleman yield?

Mr. GILLETT. I do.

Mr. ROGERS. I wonder if the gentleman has noticed an article in this morning's New York Times which deals with the Democratic caucus of last night and from which I would like to read one sentence.

Mr. GILLETT. I have not seen it, but I will yield to the gentleman for that purpose.

Mr. ROGERS. "Chairman KITCHIN defends the bill" is the subhead of this administration newspaper:

Addressing a group of insurgent southern Democrats, Mr. KITCHIN said, "You can tell your people that practically all of this tax will go north of Mason and Dixon's line."

[Applause on the Republican side.]

Mr. LONGWORTH. There must have been a leak.

Mr. KREIDER. Will the gentleman yield?

Mr. GILLETT. I will.

Mr. KREIDER. I wish the gentleman from Massachusetts would permit me to answer the question the gentleman from Minnesota [Mr. SMITH] asked about the balance in the Treasury when Woodrow Wilson was inaugurated President. I wish to inform him the balance was a little over \$149,000,000.

Mr. GILLETT. I thought it was more than that.

Mr. KREIDER. I want to ask a question. Is the gentleman prepared to say how much money the Government of the United States has spent pursuing the so-called watchful waiting policy of the administration, including the expense of taking Vera Cruz and then turning it over after we had cleaned up the streets and done a little plumbing work, and also when we sent



the so-called punitive expedition into Mexico in their operations between the two lines of railroads who stopped when they got orders from Carranza to stop and are now withdrawing when he tells them to withdraw?

Mr. GILLETT. I can not give the details, but they have cost several hundred million dollars.

Mr. GORDON. Then, as a matter of fact, it exceeds a hundred and sixty-five million dollars?

Mr. GILLETT. It has been \$165,000,000 just this year.

Mr. KITCHIN. Will the gentleman permit an interruption?

Mr. GILLETT. I will.

Mr. KITCHIN. I notice the gentleman from Massachusetts [Mr. ROGERS] read a statement from a New York paper—the New York Times—in which it is said that I said in the caucus last night that most of this tax—practically all of this tax—will come from north of Mason and Dixon's line. I did not say that, nor anything of the kind. I never mentioned the Mason and Dixon line, nor did I mention New York City; but I will say now that this tax will go to pay appropriations practically all, or most all, of which will go north of the Mason and Dixon line. The appropriation for preparedness will go for the most part to shipyards, munition makers, and so forth. These happen to be north of the Mason and Dixon line.

Mr. NORTON. Will the gentleman yield? Where does the gentleman think the tax will fall—south of Mason and Dixon's line?

Mr. KITCHIN. I think most, or the greater part, will be levied north of Mason and Dixon's line. All these fellows who live in States that will pay a large part of this tax can get rid of the location argument by removing down to my town of Scotland Neck and pay the tax from there.

Mr. GILLETT. They would not dare to. I suppose they are afraid of your taxgatherer taking—

Mr. KITCHIN. No; the taxes in my States are a great deal lower than in the State of Massachusetts, and some of these gentlemen might move down there to dodge the high taxation of Massachusetts, as it is reported they come here to Washington for that purpose.

Mr. GILLETT. I expect they could not dodge them very long, judging from what I see in the public press. This may have been as inaccurate as the gentleman from North Carolina said the other was.

The public press says a bond issue is to be authorized in order to meet some of this deficiency. Now, if that is true, I think it is especially unfortunate that the President did not come before us, as he says it is his duty to do, and advise us, for I am very sure he would have opposed a bond issue. We know he is always consistent; that he does not change his attitude; and so let me read to you what he said about a bond issue in one of his previous messages. He said:

I, for one, do not believe that the people of this country approve of postponing the payment of their bills. Borrowing money is short-sighted finance. It can be justified only when permanent things are to be accomplished which many generations will certainly benefit by and which it seems hardly fair that a single generation should pay for. The objects we are now proposing to spend money for can not be so classified, except in the sense that everything wisely done may be said to be done in the interest of posterity as well as in our own. It seems to me a clear dictate of prudent statesmanship and frank finance that in what we are now, I hope, about to undertake we should pay as we go.

Mr. HELVERING. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. HELVERING. Just a statement as to what the bond issue provides for in the revenue bill. It is for the payment for the Danish West India Islands and the Alaskan Railroad, and other items that are for permanent improvement.

Mr. GILLETT. How much of a bond issue is authorized?

Mr. CANNON. That in addition to the \$220,000,000 Panama bonds?

Mr. HELVERING. The nitrate plant, \$20,000,000.

Mr. GILLETT. That makes \$80,000,000 in all. Now, what else?

Mr. LONGWORTH. The shipping expenditure.

Mr. HELVERING. Two hundred and twenty million dollars unexpended Panama Canal bonds. That is \$312,000,000 to pay for the expenses of the Mexican border and these permanent improvements.

Mr. GILLETT. We have not had war, have we?

Mr. HELVERING. We have saved ourselves from war, which would have cost not this \$160,000,000 but billions of dollars.

Mr. FORDNEY. The Panama bonds yet unissued amount to \$240,500,000 and odd. The Treasury report this morning shows that.

Mr. HELVERING. The statement was transmitted to the Ways and Means Committee day before yesterday.

Mr. FORDNEY. You authorize \$300,000,000 indebtedness.

Mr. HELVERING. And an addition of \$100,000,000 more that the Republicans authorized.

Mr. FORDNEY. Of Panama bonds?

Mr. HELVERING. No.

Mr. KITCHIN. I will say to the gentleman from Michigan [Mr. FORDNEY] that in my understanding there were \$201,000,000 and some odd hundred thousands of Panama bonds, but since the statement was made, as the public generally understood, \$10,000,000 has been issued and set aside to be issued for a rural credit farm-loan bill. You see we provided for \$10,000,000, and it is about \$22,000,000 now. And as to the bonds to take care of the Mexican situation, and perhaps the purchase of the Danish West Indies, and the building of the Alaskan railway, and the armor-plate plant, it will take, including also the nitrate plant, and the \$50,000,000 required by the shipping bill, both of which are taken care of by an authorization of these Panama bonds—it would take the amount of the Panama bonds and about \$80,000,000 of new bonds, of new money, to take care of these permanent investments, which I have just mentioned, including the Mexican situation. Now, the Mexican situation, as I understand, according to the Treasury report, will require, up to June 30, \$162,000,000. Now, I do not think that any of us in the House, except possibly some of us on this side and a few on that side, can complain about that, because I understood both your party in the Senate and here indorsed the President's Mexican policy. They voted on a resolution as to the Vera Cruz proposition here in the House and in the Senate, by an overwhelming vote, and both Republicans and Democrats voted to indorse his policy to enter Mexico after Villa.

Mr. SMITH of Michigan. Was it his policy that they indorsed?

Mr. KITCHIN. I can only tell by the resolution that the Republicans voted on in the Senate, and the Vera Cruz proposition here, and I have heard no complaint on the part of anybody, especially Republicans, for the last several months as to the expenditure of this \$162,000,000. The greatest complaint I have heard is that they did not spend more, and have taken more troops in there, and cost the American people many million dollars more.

Mr. SMITH of Michigan. Do you think they ought to go further?

Mr. KITCHIN. That is the complaint I have heard from your side.

Mr. CANNON. Will the gentleman allow me?

Mr. KITCHIN. I certainly will.

Mr. CANNON. Did he catch Villa?

Mr. KITCHIN. I do not know that he did. He sent a whole lot of commanding officers down there, 19 out of 20 of whom were Republicans. I reckon if they had been Democratic officers they would have caught him.

Mr. SMITH of Michigan. He did not even catch Carranza. Carranza caught him.

Mr. GILLETT. Now, to analyze the statement just made by the gentleman from North Carolina [Mr. KITCHIN], there is \$50,000,000 for the shipping, \$20,000,000 for the nitrate plant, and \$11,000,000 for the armor plant, and \$25,000,000 for the Danish Islands. Now, what else is there except Mexico?

Mr. KITCHIN. The Alaskan Railway, \$35,000,000, and the Mexican situation, \$162,000,000.

Mr. GILLETT. I will leave out the Mexican situation. I will allude to that later. There are \$141,000,000, which I admit are permanent improvement and which I admit justify a bond issue, if we have not spare cash in the Treasury. We have bonds already on hand which, by the economy of a Republican administration, we did not use when we had a right to, but paid for most of the building of the Panama Canal out of our extra pocket money. We have got from \$200,000,000 to \$240,000,000 of them on hand. Why do you need any more bonds? I do not believe that this Mexican excursion is a proper subject to be paid for by bonds. It is certainly no permanent improvement. Why did you not pay for your Vera Cruz excursion by bonds if that theory is correct? I never approved of either of them. I was one of those who voted against it. I voted and made some remarks against it.

And as to this later excursion down into Mexico shortly before the election. If it had been made immediately after the attack—and I do not want to get into a Mexican discussion, because there is such an infinite field for criticism there that it would take all day—but this is one of the instances which, it seems to me, shows the utter fatuity of our whole Mexican policy. If the troops had been sent in to catch Villa the next day, there might have been some sense and judgment in it, but to wait a week and then to think that the United States troops could catch a mosquito like him, out in the mountains of Mexico, was



preposterous; and it has accomplished no more than we could expect.

And when it comes to Mexico, these "battles" between Carranzistas and Villistas always strike me as comic opera. I suspect the "battles" and the "victories" consist simply of the soldiers on the one side or the other wondering on which side they can get most loot and changing to the side that offers the best prospects, and that is the side that wins the "victory."

But that is altogether apart from the question. It seems to me that from what the President himself has laid down in the message which I read a new bond issue is not authorized. There are only \$141,000,000 of permanent investments which we will have to pay for, and we have \$240,000,000 of Panama bonds on hand which can be used for it.

Now, I want to say just a word—and I did not mean to take so much time—about the President's recent message to the Senate. With what I understand to be the general purpose of that message I heartily concur. I understand him to mean that the best hope for a durable and permanent peace is a concert of the powers of the world, supported by armed force, and that the United States shall enter that concert and help to enforce it, if necessary, with its Army and with its Navy. With that general proposition I am in thorough accord, for it seems to me it is the best practical step toward the permanent end of warfare, which we all desire. The President expressed it with his invariable charm, but he expressed it also with the vagueness and nebulousness which are almost as invariable.

But, if I am correct in thinking the main purpose is what I have stated, I agree with him. I think it may be "an iridescent dream"; it may be an anticipation of that parliament of man and federation of the world which we all know is so far off, but it seems to me it is a step toward it.

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. GILLETT. Yes.

Mr. MEEKER. Could the gentleman give a plan for the accomplishment of that supposed purpose less measureless?

Mr. GILLETT. Well, I do not know. I have not the responsibility of doing it, and I will not pretend that I have thought it out.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Yes; I yield to my colleague.

Mr. CANNON. Would my friend agree to any proposition that the United States should cooperate with the nations of the world in creating an armed force greater than any now existing, to be called into exercise by a vote of the nations of the world?

Mr. GILLETT. Well, now, the gentleman is assuming two things: First, he is assuming that it is a force greater than any now existing.

Mr. CANNON. I am using the President's statement.

Mr. GILLETT. Yes; I read it carefully, but he does not state that. If that is it, of course it accomplishes nothing, because, as I understand, the main purpose of this concert of the powers will be not to maintain a greater force than the armed powers now do, but to generally and largely reduce the force of both the Army and the Navy. If it does not accomplish that, it fails at the beginning.

Mr. CANNON. I read from the President's statement:

I do not mean to say that any American Government would throw any obstacle in the way of any terms of peace the Governments now at war might agree upon, or seek to upset them when made, whatever they might be. I only take it for granted that mere terms of peace between the belligerents will not satisfy even the belligerents themselves. Mere agreements may not make peace secure. It will be absolutely necessary that a force be created as a guarantor of the permanency of the settlement so much greater than the force of any nation now engaged or any alliance hitherto formed or projected that no nation, no probable combination of nations could face or withstand it. If the peace presently to be made is to endure, it must be a peace made secure by the organized major force of mankind.

Does the President mean what he says, or is it "as the sounding brass and the tinkling cymbal"?

Mr. GILLETT. But he does not say greater than the present force of any nation or alliance. Of course, the force of the concert must be greater than the force of any part of it, but I trust there will be a general and decisive reduction of armaments.

Mr. CANNON. Does the gentleman believe that the United States should now or at any other time enter into treaty or agreement with the nations of the world that if there be a falling out between the United States and any other nation on this continent or elsewhere the nations of the world by a majority vote shall determine what the United States shall do?

Mr. GILLETT. In general, yes; though how such details as voting will be arranged I will not now suggest. There must be some court of final decision. We can not go in and say we will dictate to everybody else, and that other nations shall submit

their differences to some general concert without being willing to submit our own. But, of course, as I said, this is all very vague and nebulous. You can not tell what conditions will be laid down. It will depend largely on those conditions. But it seems to me that conditions can be laid down that will make it proper and safe for the United States, desiring, as I think we do, no aggression on any nation on this continent or hemisphere or on the other one. It will be safe for the United States to enter such a council.

Mr. CANNON. And action determined by the vote of the majority, a little nation having as much voice as the big nation?

Mr. GILLETT. That is one of the details that I do not assest to. It is not suggested by the President. It has to be worked out.

Mr. CANNON. Let me put a case. Mexico is adjacent to the United States for 1,800 miles. We have trouble with Mexico, and I believe we will have future trouble with it. Suppose this agreement were made and the United States were to proceed to protect itself under the Monroe doctrine, or from the standpoint of protection to the American people. Would we have to submit, before we dare assert our rights for protection, to a popular vote of the different nations of the world? Is that what this agreement contemplates?

Mr. GILLETT. For myself, as to any contest we have with a little power like Mexico, our neighbor, I will always be willing to submit that to any fair tribunal of the world. I am not afraid of differences between ourselves and Mexico, and I do not care much in what manner they are decided. Any little dispute we might have with any of our neighbors, with whom we ought to have friendly relations, would not be very vital to the United States, and we could well leave it to the arbitrament of other powers.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. GILLETT. Yes.

Mr. COOPER of Wisconsin. As I understand the President's address, there is no proposition that any nation shall submit its rights or wrongs to a majority vote of the nations of the world, as that expression would ordinarily be understood; but in outline the proposition, as I understand it, is that all nations shall enter into an international agreement by which each of the signatory powers will reserve to itself certain things of vital character which are never, under any circumstances, to be considered arbitrable—as, for example, the boundary lines of each country after these have been once fixed by the agreement, the right to determine who may immigrate or come into the country and who shall be eligible to citizenship—but by which all other questions which may arise are to be referred for hearing and judgment to a great international court, composed of the foremost jurists of all the countries. Then it is also proposed that there shall be a general disarmament of the nations and that the judgments of the great international court shall be enforced by an international police force, just as United States marshals and their assistants enforce the decrees of our courts. That is as I understand the proposition. I would not say that I advocate it in its entirety, but that, I think, is a fair statement of the proposition. The whole subject is in the very highest realms of statesmanship and ought to be considered in all its aspects when we discuss it on this floor.

Mr. LONGWORTH. Might it not be well to have the method referred to officially translated, in order that it might not cause a disagreement between such able intellects as that of the gentleman from Massachusetts [Mr. GILLETT], the gentleman from Illinois [Mr. CANNON], and the gentleman from Wisconsin [Mr. COOPER]? We want to know what it does mean.

Mr. GILLETT. What the gentleman from Wisconsin [Mr. COOPER] has suggested is of course the program which is now being so much agitated by the League to Enforce Peace. When I say I approve of the President's policy, I do not commit myself any more than the gentleman from Wisconsin [Mr. COOPER] does to any detailed method of working it out. That is in the future, and the President absolutely suggests nothing as to details. All I indorse is that it seems to me the best step toward international peace in the future is some concert of powers, to be developed, as of course it would have to be, with the greatest care and study and elaboration; but at the threshold I do not want to refuse accord to the general principle. On the contrary, I strongly favor it.

Mr. FESS. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. FESS. Who would say what subjects are arbitrable?

Mr. GILLETT. Now, you are getting into details which are not before us at all.



Mr. FESS. Would the Monroe doctrine be one of them?

Mr. GILLET. Of course the Monroe doctrine in its original purpose has long been obsolete. It was established to prevent monarchical governments being imposed upon this continent. Well, now the monarchies have enough to do to keep democracies from being imposed upon them, and are no longer hoping to impose them here.

Mr. FESS. Will the gentleman yield further?

Mr. GILLET. Let me just say that what the Monroe doctrine means now, as I understand it, is that the United States does not propose to have any great European power get ports or harbors or stations anywhere near our borders, which would be a menace in case of war. We use it now as a matter of self-defense, and that, as I understand it, is practically the purpose of the Monroe doctrine to-day.

Mr. FESS. Will the gentleman yield further?

Mr. GILLET. Yes.

Mr. FESS. Suppose two countries in Europe are at variance, and it becomes necessary for this league of peace to use its force. We would be bound to join them if we are in it?

Mr. GILLET. Yes.

Mr. FESS. Without any interest whatever in the contest?

Mr. GILLET. Yes.

Mr. FESS. How would our troops be used?

Mr. GILLET. As the gentleman knows, that is a detail that I can not predict.

Mr. FESS. Would that be done without a vote of the people?

Mr. GILLET. As I say, that is one of the details that I can not predict, and will not pretend to.

Mr. FESS. One more remark.

Mr. GILLET. I have only 14 minutes remaining and I have promised to yield 10 minutes.

Mr. O'SHAUNESSY. I want to ask just one question.

Mr. GILLET. I can not yield because I wish to say a word or two more and I have only four minutes in which to say them. In this message of the President I was struck by the President's insistence that other nations should adopt the principle that governments derive their just powers from the consent of the governed. Could it have failed to occur to him that there was abundant occasion for him to urge that doctrine in his own country and in his own party? Is the universal right of the governed to consent or dissent recognized by the Democratic Party? Are not some States solidly and permanently Democratic only because they deliberately ignore and violate that principle? If the governed had been allowed to register their consent in Democratic States at the last election the President would not occupy the White House after next March. The party of which he is the recognized leader not only systematically violates this principle which the President in his message exalts, but in order to do it is obliged to disobey the Constitution of the United States. Yet I have heard no word of criticism from the White House against this long-continued denial to the governed of their privilege to consent or dissent. Is it only when the principle is advantageous that it is to be commended? Is it to be disregarded when it would be inconvenient? Throughout a whole section of the country controlled by the President's party a large class of the governed are prohibited from exercising their rights by social and political ostracism. In that conduct he acquiesces. Before insisting that foreign nations shall adopt his theory would it not be well to set his own house in order? How can he expect to influence opinion abroad in favor of a principle when at home he is the chief beneficiary of the flagrant and continuous violation of the very doctrine which he is striving to force upon other nations? And yet I am sure that while he extols it abroad he will take no step to enforce it in his own party, where its determined violation is the very foundation of Democratic success. [Applause.]

I yield five minutes to the gentleman from New York [Mr. BENNET].

Mr. O'SHAUNESSY. Will the gentleman from Massachusetts yield for a question?

Mr. GILLET. I have not the time.

Mr. BENNET. I will yield the gentleman one minute.

Mr. O'SHAUNESSY. I want to ask relative to the President's message to the Senate if the gentleman from Massachusetts does not think the most significant characteristic of it or what has followed from it has been the response of the workmen of Great Britain, the peasants of Russia, and the socialists of France applauding the sentiments?

Mr. GILLET. How much that is I do not know, and I suspect the gentleman does not know.

Mr. O'SHAUNESSY. From what I have read the people are responding; not the aristocrats but the plain people of Europe.

Mr. GILLET. As to that I do not know, and do not see how anybody here can know yet.

Mr. O'SHAUNESSY. I hope it is true.

Mr. BENNET. Mr. Chairman, after the vote of this morning, 147 to 137, that it does not make any difference what you say on the floor of the House, you can write a new speech for the Record, I think four minutes is really too long, because if you do not like your speech you can put in what you please anyway.

I want to talk during these four minutes of a peculiar situation. I have always understood that this House had the right to ask an executive department for information. And in practice, under both this administration and the Republican administrations, I have found that when I went to the department and asked for information I usually got it. The Department of Labor, so far as the administration of Ellis Island is concerned, is an exception. On the 18th of July I made a speech on the floor in which I made certain allegations as to the immoral mixing of alien men and women at Ellis Island. The Acting Secretary of Labor went to New York and found the allegations were correct, and issued an order, which I put in the Record last summer, changing the conditions.

Within a week thereafter investigations were instituted at Ellis Island and carried on for three days before the deputy commissioner. I do not know what investigations there were, but I know the fact of the investigation was brought out before the Committee on Immigration and Naturalization.

I called up the department over the telephone and said I was going to New York and would like to look at the report of the investigation. I got no reply. I wrote a letter and got no reply. I called up again, and I got a reply that my letter would receive attention. They wrote me a letter declining to let me see the commissioner's report, the first time that anything like that had happened in my eight years in Congress. I thought there was some mistake, and so I introduced a resolution of inquiry last August. Then I went to the chairman of the Committee on Immigration and said that I had no desire to spread fallacious matters on the public record, and for him to have these things sent down to the House Committee on Immigration and let me look them over and let the members of the committee look them over for information. That was not done. I called the attention of the chairman of the House Committee on Immigration to the matter at this session once or twice after that. In the meantime I had introduced a resolution asking that a copy of this investigation be sent to this House. Day before yesterday I brought up the resolution and the Speaker ruled that that particular resolution was not within the rules of the House; that it was not a resolution of inquiry. I think he was wrong. I have introduced two other resolutions, one asking for the original examination and another asking for information contained in the examination. The one the Speaker ruled out asked for a copy. So, in four or five days I am going to bring before the House a request in three different forms, for a copy, the original, and the information, and I am going to ask the Chair to rule on these other two propositions, because I believe that this House is entitled to information upon which it is called to legislate, and I am going to get a roll call on that proposition before I officially die. [Applause.]

By leave of the House I insert the communications from the department:

DEPARTMENT OF LABOR,  
OFFICE OF THE SECRETARY,  
Washington, September 28, 1916.

HON. WILLIAM S. BENNET,  
60 Wall Street, New York City.

MY DEAR CONGRESSMAN: In reply to your letter of September 27, requesting that you be permitted to see the examinations taken at Ellis Island before Acting Commissioner Uhl on July 25, 26, and 27, you are advised that this investigation was conducted for administrative purposes, is considered confidential by the department, and is not available for publication.

Yours, very truly,

J. B. DENSMORE,  
Acting Secretary.

[Telegram.]

NOVEMBER 4, 1916.

HON. WILLIAM S. BENNET,  
New York:

No reason appears for reversing the decision of the Acting Secretary relative to your request to examine records at Ellis Island.

LOUIS F. POST,  
Assistant Secretary.

DEPARTMENT OF LABOR,  
OFFICE OF THE ASSISTANT SECRETARY,  
Washington, November 13, 1916.

HON. WILLIAM S. BENNET, M. C.,  
479 Tremont Avenue, New York City.

MY DEAR CONGRESSMAN: I have to acknowledge the receipt of your letter of November 8, renewing your request for permission to look at the reports of the investigation made at Ellis Island in July last.

I beg to advise that neither the election nor its results had anything to do with the action taken by the department in this matter. The decision of the Acting Secretary, of which you have already been ap-



prised, will have to stand until circumstances arise which properly indicate a necessity for reconsideration thereof.

I am, respectfully, yours,

LOUIS F. POST,  
Assistant Secretary.

Also the three resolutions of inquiry:

House resolution 370.

*Resolved*, That the Secretary of Labor be directed to send to the House of Representatives a copy of the examinations into conditions on Ellis Island, taken by and before Byron H. Uhl, assistant commissioner of immigration, at Ellis Island July 25, 26, and 27, 1916.

House resolution 466.

*Resolved*, That the Secretary of Labor be directed to send to the House of Representatives the information contained in the examinations into conditions on Ellis Island, taken by and before Byron H. Uhl, assistant commissioner of immigration, at Ellis Island July 25, 26, and 27, 1916, which examination has been reduced to writing and is now in the possession of the said Secretary.

House resolution 467.

*Resolved*, That the Secretary of Labor be directed to send to the House of Representatives the examinations into conditions on Ellis Island, taken by and before Byron H. Uhl, assistant commissioner of immigration, at Ellis Island July 25, 26, and 27, 1916, and now in his possession.

Mr. GOOD. Mr. Chairman, it is not my purpose in the brief time allotted to me to say anything with regard to the bill under consideration. I desire to call the attention of the committee to the matter of making a change, which it seems to me must come in the near future in respect to the making of appropriations for the various departments of the Government. If you will look through the calendar and note the dates of the passage of the last appropriation bills in the last session of Congress and then note the time by going through the CONGRESSIONAL RECORD that was consumed in the consideration of those bills, and then consider that within the short space of three months we take up the same bills and go over the same hearings and appropriate for the same departments, as we do at the short session of Congress, it will give any man cause for reflection. To-day I introduced a bill changing the present method of making appropriations. This bill provides that with each incoming Congress the estimates shall be made for a biennial period, and Congress at the long session, if that bill or something like it should become a law, will make appropriations for a biennial period, leaving the short session of Congress free to transact such business as the country may demand shall be transacted. Either we must do something of that kind or Congress must necessarily be called into special session at the close or shortly after the close of each short session of Congress. Every day we see in the newspapers, and we hear it expressed here and upon the streets, that we must have an extra session of Congress, because at this short session we will not have time even to go over the appropriation bills and enact the limited amount of legislation that is demanded by the administration.

In talking with one of the officers of the War Department in regard to some provisions carried in this bill, he told me that it took him at least six weeks this year to prepare his estimates, and that it took the time of more than four clerks for about the same period of time. I asked him how much longer it would have taken if he had estimated for a biennial period when he made his estimates last year. He said that it would have taken him a very short time; the additional time would always be negligible.

We know, too, that when we pass appropriation bills at the short session of Congress we do it with considerable hurry and without due consideration. The short time at our disposal makes it impossible to give due consideration to details. We do not consider and can not consider appropriations in a deliberate way, in the same way that we do at the long session of Congress. This might result in great waste were it not that most all of these appropriations are practically duplications of items in former bills, not in the same amount, not for the same thing exactly. That being true, we can estimate for a 2-year period just as well as we can estimate for a period of 12 months, and Congress can appropriate for that period just as well as it can for a shorter period. It will, of course, leave to the short session of Congress those items that can not be provided for, where new legislation enacted after the enactment of a biennial appropriation bill has provided for new duties requiring the expenditure of money, and it will also leave perhaps a much larger deficiency bill than we would have if we only appropriate for a single session.

But there can be no objection to the proposed legislation because it would necessarily result in a larger deficiency appropriation bill at each short session of Congress. It will not mean an increase in appropriations. It ought to result in a decrease in the appropriations.

The proposed legislation will, in my opinion, result in preventing ill-considered and hasty appropriations at the short

sessions of Congress. That alone is a sufficient reason for its adoption, but my object in presenting the bill goes further than this. The adoption of this measure will keep the short sessions of Congress free and open for the enactment of necessary legislation. The tremendous growth of the country has added very largely to the activities of the various branches of the Government service. New problems are constantly arising which require the attention of Congress, and many of these problems can not be solved at the short sessions of Congress because of a lack of time. It is the opinion of many that Congress ought to be almost continuously in session. If this be true, then it does seem that it is useless for Congress to pass these supply bills for only a 12 months' period when they could as well be passed at the long session of Congress for a biennial period.

In addition to this, the adoption of legislation along this line would result in great economy in the matter of holding hearings on appropriation bills. The bill which I have introduced makes practically no change in the present law, so far as the required estimates are concerned or so far as appropriations are concerned, except the changes necessary to provide for biennial appropriations instead of annual appropriations.

Mr. SHERLEY. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LONDON].

[Mr. LONDON addressed the committee. See Appendix.]

Mr. SHERLEY. Mr. Chairman, the discussion which has been had under the freedom of general debate has taken a wide range, and there has been but one phase in common with all the speakers, and that was a careful avoidance of the bill before the committee.

As the chairman of the subcommittee presenting this bill, it becomes my duty in particular to undertake to acquaint the House somewhat with its provisions and the reasons that, to the committee, seem to justify its presentation here and its enactment into law. Before I take up the bill, however, permit me to say simply this, in order that my silence may not be misunderstood: While I might find sentences in the remarks of the various gentlemen who have spoken with which I was in accord, dealing with those speeches as a whole I desire to express my dissent from them all. But I have felt that it was not a wise time for men in public office, particularly in this body, to undertake to express, certainly in any final form, opinions touching the very great issue that has been raised by the President of the United States in the message that he delivered to the Senate touching those matters that are now acute because of the European war. Much that a man might say would be improper to say because of the pending war and the relationship of this country as a neutral, and, over and beyond all of that, the proposals that have been suggested by the President are so tremendous and involve such far-reaching consequences and such marked departures from the historic position taken by this country from its beginning that he is a brave man indeed who with a few days' consideration of the subject is now prepared to give his final judgment. It seems to me peculiarly a time when men should keep their minds open to the truth as it may appear, willing to abandon, if need be, preconceived convictions, but with no inclination to rush into new ones without a thorough examination of all that is involved thereby. But whether we are to come into a universal peace that all men hope for, and some men believe probable, whether we are to get that peace through the method that has been suggested by the President, or not, I for one have not felt that we, charged with the defense of our country, could afford to neglect that defense because of a belief or a hope that its defense would never be necessary.

Therefore in the preparation of this bill, so far as I have been able to influence the judgment of the subcommittee, it has been along the line of continuing the policy that was adopted last year, of undertaking all such improvements in connection with our seacoast defenses and such additions to our mobile armament as would put this country in a better position for defense and for the maintenance of its rights, if need might be.

The bill that was presented last year was an unusually large one, judged by the standard of bills that had preceded it in the many years before. The average appropriation bill for fortification purposes has amounted to something under \$7,000,000. Last year a law was passed which, with certain deficiency acts, carried \$28,547,550, and with contract authorizations of \$13,800,000, making a total of \$42,347,550, a sum nearly seven times as great as that which had been made available for similar purposes in annual bills in the years that had gone by.

This year the committee has recommended a bill carrying an appropriation of \$51,396,593, with contract authorizations of \$9,459,000, or a total of \$60,855,593. These are large sums, large



even in this day of unusual sums, but I submit to this committee that the judgment as to their size must not be a judgment simply of money, but a judgment as to what is needed to be done, the interests at stake, and the risks that you are undertaking to insure against.

The United States has not only the greatest coast line of any nation in the world to protect, infinitely greater than any nation or almost any combination of any of the great nations, but it has a wealth and a population that makes its position in the world that of primacy among all the nations. And while some men believe that because of its size it is in no danger from any attack anywhere, I have not believed that mere size was a guaranty of freedom from war. And I unfortunately have been forced to know that the justness of the motives of a nation are not a guaranty against war and conflict with others.

Unfortunate it is that two are not necessary to make a quarrel. There never was a statement that was disproved as that statement has been by the history of the world for the last two or three years. I realize what I said on this floor last year—that the most momentous fact in the lifetime of any man here present is the constant contraction of the earth's surface, for the earth is not to be measured in statute miles. It is measured in the time that it takes for the interchange of thought, of men, and of commodities. By that standard, which is the only true standard in a world of facts, the world has become constantly smaller, and with its contraction has come an enlargement of the part that America must play in it. And so to my mind there is no question as to the tremendous stake that we have and that we need to preserve and protect.

Believing that, believing it fundamentally, believing that the action of the Congress and the action of the people have justified and approved that conception, the problem that confronted the Committee on Appropriations in dealing with the fortifications bill was the problem of determining what was necessary and then of providing the means for the orderly doing of those things.

Last year there was presented to the committee the report of a board of review that had made a review of all the fortifications of the continental United States, the Panama Canal, and of the insular possessions, and had determined what in the judgment of that board was necessary to add to existing armament or to place as new armament in places not heretofore fortified, to protect within the proper scope of fortifications the United States, the Panama Canal, and the insular possessions. That report contemplated an expenditure of approximately \$96,000,000, and for the continental United States an expenditure of about \$71,000,000. It was supposed that the estimates that were submitted last year represented about one-fourth of the amount requisite to carry out this scheme of the board of review.

In point of fact, however, the estimates that were submitted and the allowances that were made did not constitute a fourth of the project, even if you considered authorizations as well as cash appropriated. Since that report was presented certain additions have been made to it which will result in an increased expenditure, taking into account the increased cost of doing the same thing over last year, of probably a sum sufficient to make the total reach \$110,000,000.

The bill which has been presented to the committee this year undertakes to provide for a third of the little more than three-fourths of the scheme remaining to be appropriated for. In other words, we are trying to do what we told the House last year we were going to do, to finish the scheme that had been suggested and approved for the fortifications of America with four annual appropriations. The actual physical doing of these things will take much longer than that, because unfortunately it takes from six to seven or eight years to actually create and turn over to the Coast Artillery a new fortification, even though the money be supplied as fast as it can be used.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MADDEN. Has the gentleman's committee ascertained how long it will probably take to expend the money provided for in the pending bill?

Mr. SHERLEY. The committee has undertaken only to give moneys that would be expended prior to the passage of a new bill. That is one of the reasons why we sometimes provide for authorizations of expenditure as well as the cash, so that, where it was necessary to make contracts and yet not necessary to expend the actual money within the year that we are providing for, it could be done. But we have tried to give only moneys that we thought could be and would be economically expended prior to the passage of a new fortification act making new moneys available.

Mr. MADDEN. Does the gentleman think that the \$51,000,000 in cash provided for in this bill can be economically expended within the coming fiscal year?

Mr. SHERLEY. Yes; although I am not prepared to say that I think it will all actually be expended.

Mr. MADDEN. Will it be available until it is expended?

Mr. SHERLEY. Yes; it will be available until it is expended, and the reason I say I am not certain that it will actually be expended is this: There always occur certain unforeseen things that prevent the expenditure of certain moneys intended for a given purpose; and yet we can not afford, unless we want to delay to a very great extent, to withhold moneys when they might be needed, and not being available, the work would be very greatly held back.

Mr. MADDEN. I think it is a wise business method of procedure to provide ample means, so that the department can proceed if it wants to.

Mr. SHERLEY. I will say to the committee that the thing that determines practically the time it takes to equip a modern fortification, assuming that you have title to land—and I shall come to that subsequently, either in general debate or under the five-minute rule—is the making of the guns and carriages; and that takes, particularly for such new guns as we are now building, never heretofore built in America, from three to five years, and there are always unforeseen delays that make it almost impossible apparently to get a fortification actually in commission under six or seven years.

I have wished it were otherwise, and I have endeavored as best I could to hasten the doing of these necessary things and the elimination of those causes which make for delay; but the condition of the Ordnance Department, and the necessary time it takes in devising plans and specifications, and the doing of the work in the arsenals or by private contract, and the assembling of the parts and their final shipment to the place where they are to be emplaced result in these delays, and apparently we have no hope of seeing any great reduction in time in the future under what it has been in the past.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. TOWNER. The appropriation last year was increased by \$26,000,000. Can the gentleman give us any idea of how much of that amount will likely be expended before the end of the fiscal year?

Mr. SHERLEY. I will say to the gentleman that with the exception of about \$2,000,000 that was given for emplacement work, and which could not be used because the title to lands was not finally acquired, practically all of it will be expended, although not necessarily will the things for which it was appropriated be finished. In other words, it will either be expended or be obligated from month to month in the expenses incident to the manufacture of these carriages, and so forth.

Mr. TOWNER. Are the direct appropriations carried in this bill made available until they are expended?

Mr. SHERLEY. All the appropriations in this bill are available until expended.

Mr. TOWNER. Will the gentleman tell us just what is meant by the authorizations—

Mr. SHERLEY. Perhaps I can tell you more quickly than you can ask.

Mr. TOWNER. Very well.

Mr. SHERLEY. What is meant by "authorization" is this: It authorizes the Government to enter into contracts to the amount stated. Those contracts may be either with private manufacturers or they may be with the arsenals. That is, the right to incur that liability may be availed of in the procurement of material that is to be used at the arsenals, or it may be entirely used in entering into contracts for which the faith of the Government is pledged with private manufacturers.

Mr. TOWNER. It extends to nothing further than merely the right to make the contracts?

Mr. SHERLEY. Without that they could not expend anything but the cash available. For instance, if you want to make a contract for the procurement of certain guns, those guns would not be manufactured for several years, and they might enter into a contract by which they would agree to pay a certain sum at a certain time and so much on delivery. Now, unless they had either an authorization or cash sufficient to cover the entire cost of such guns, they could not enter into a contract for their manufacture at all.

Mr. TOWNER. Then it extends to nothing further than the power to make a contract?

Mr. SHERLEY. It does just what it says. What is not always understood is that sometimes the contract authorization is used in the way of buying material that is manufactured in the arsenals, whereas the average man is apt to think that it



means the making of a contract for getting the finished thing from private manufacturers. That is not always generally understood.

Now, the only reason for it is this: It is not desirable, in my judgment, to tie up great sums of money in the Treasury that will not be needed for quite a period of time, because the very moment you appropriate certain moneys the Treasury is obligated to that extent for that amount of money. This is simply a means of not unduly segregating your available funds in the Treasury until the need exists for the spending of the money, and it simply obligates the Government in good faith—a faith which it always keeps—to make the appropriation that is subsequently necessary to carry out that obligation.

Mr. TOWNER. I quite agree with the gentleman as to that.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield further?

Mr. SHERLEY. Yes.

Mr. GREEN of Iowa. I was unfortunately called out at the time the gentleman began his remarks, and he may have already answered the question that I desire to ask. I infer from what the gentleman has already said that this amount which is now appropriated is only a portion of what will be required to carry out the general plan.

Mr. SHERLEY. Yes.

Mr. GREEN of Iowa. Can the gentleman give us any estimate as to the further sum which will eventually be required to carry out the plan?

Mr. SHERLEY. I have already covered that to this extent, that I stated that the board of review in connection with fortifications looked to an expenditure of \$96,000,000. That did not include, however, any estimate for Alaska, for Guantanamo, for Guam, or for the Danish West Indies, in the event that we shall fortify them, as I presume we will; but for continental United States, the Hawaiian Islands, the Philippines, and Panama it was estimated that it would take \$96,000,000 to do all of the things that they thought desirable to be done in order to make these fortifications as complete and modern as was deemed necessary and advisable. Now, it was planned that those sums should be made available through four annual appropriations, and that plan has roughly been carried out in last year's bill and in this year's bill, though last year we did not appropriate quite up to one-fourth of the sum that was necessary, and there is in this year's bill an added expense due to the fact that a 25 per cent increase in the cost of armament and a 20 to 25 per cent increase in the cost of ammunition is going to result from the very much higher market that now exists than existed a year or more ago. Whether that will continue to exist over the time within which these moneys are to be expended is a matter about which gentlemen may have various views and may speculate, though of course we have no actual knowledge.

Now, in order not to mislead the committee I ought to say that the fortifications bill deals with two matters, one relating to fortifications proper and the other to the mobile artillery and its ammunition for the Regular and Volunteer forces of the United States, so that a segregation has to be made of the items in order to show what goes for fortifications and what goes for mobile artillery and ammunition, and I was about to make that segregation when various gentlemen interrupted for other inquiries.

Mr. EMERSON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. EMERSON. I do not desire to disturb the continuity of the gentleman's remarks.

Mr. SHERLEY. I still hope to be able to make that statement.

Mr. EMERSON. The gentleman made a statement earlier in his speech that interested not only myself but others. He said that from observations he had made in the last two or three years he had come to the conclusion that the good intentions of nations were not sufficient to keep them from war. I have so much confidence in the gentleman's learning and judgment that I would like to know what he means by that statement.

Mr. SHERLEY. Of course, I might cite cases, and in so doing might violate the rôle that I have undertaken to play since this European war started of being neutral, in speech at least, touching the participants in that war. Without using illustrations I will endeavor to give the gentleman my view.

So long as there is a difference of opinion as to what is right, the fact that one party is right does not necessarily carry with it acquiescence in that position by another party holding different views, whether honestly or dishonestly. The result is that if that group or nation feel strongly enough in regard to their views which are antagonistic to those of the other group that

may force a war, irrespective of the justice of the views of the party that is forced into the war. That, I think, is so plain and so axiomatic that a statement of it ought to carry conviction. If men will think of nations somewhat as individuals, they will have no difficulty in coming to correct conclusions as to many of these things. Individuals differ as to what constitutes right and wrong, and individuals insist upon their positions; and unless certain machinery is created by groups of other individuals to force a settlement by lawfully provided methods those individuals settle their differences by their own respective strength; and nations as groups of individuals have done the same thing; and they will only cease to do it either when great groups create a machinery for the adjustment of differences, with the power back of that machinery to compel obedience to its decrees, or there comes such uniformity of thought as to what constitutes right and such desire to do only what is right as to make all nations and all men in accord.

When that time comes laws and governments and all of the machinery of frail human nature will be unnecessary and the millennium will be upon us. For my own part, I have yet to see any way except the slow, toilsome process of evolution whereby man has come from the level of the beast to his present stature for the solution of most of these fundamental matters. I have ceased to believe in a royal road, and there is nothing to my mind more dangerous than the belief that individuals can get together and by bringing their minds in accord thereby bring great masses of mankind into accord; and one of the most fatal things is to assume that the same standard of civilization, and therefore the same conception of what constitutes right and morality, exists among the great groups of people. That is not true. Gentlemen, there is more difference between the conception of what constitutes right and morality in groups of men, or, to use the usual phrase, nations, than you find among individual men in a single group, and that latter is certainly wide enough. All you need to do is to look at the map of the world with your eyes open and see the groups of men as they exist, to realize that their conception and our conception of what constitutes morality, of what constitutes right, of what constitutes what is desirable in life, are so totally different that, while those people may be just as sincere as we are, they by their convictions may be forced into a position and an action at direct variance with that into which our own conception of truth and right and of what is desirable may force us.

But I had not intended to be diverted from a financial statement on the bill. Last year for fortification purposes proper we appropriated \$17,751,050 in cash, and authorized contracts for \$7,300,000, or a total of \$25,051,050. This year for fortification purposes only we have appropriated \$35,186,593 in cash, and for authorizations \$5,259,000, making a total of \$40,445,593. So that the difference between this year's bill and last year's bill, as it relates to fortifications only and considering authorizations the same as cash, is a difference of about \$15,000,000. But when you consider that last year's bill carried authorizations that this year must take care of, it will be seen that that difference does not represent that much of increase in the amount of work that you are undertaking, but consists in part of what is made necessary by the promises to pay of last year which we are preparing to make good.

Mr. TILSON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. TILSON. I notice that the amount of appropriation for arms and armament for fortifications has been considerably increased, and the authorizations in most cases have been considerably diminished over that of last year. Is that caused by the fact that the projects will be completed in the near future?

Mr. SHERLEY. No. I will say to the gentleman frankly that there is no absolute certain way by which you can determine how much cash and how much authorization shall be had, and in submitting the estimates the officers who submit them usually figure, having in mind their available balance in the Treasury, the condition of the work that is being done, the time it will probably be finished, thereby determining roughly what they will need in the way of cash and what they can afford to have go over as a pledge of the Government for another year. A good deal of this work is further advanced than last year, and a good deal more may be let by contract or started in the arsenals than last year, because some designs that were then needed and held matters up are now finished. Because of the authorizations of last year, it will be necessary to carry more cash this year. This bill will become a law on the 4th of March next, and the next bill will probably not become a law for 15 or 18 months afterwards, so there is a longer period between the passage of this bill and the next bill than there was between the passage of the last bill and this bill.



Mr. TILSON. I believe in authorizations, because I believe better contracts can be made in that way. Therefore I wondered at the cutting down of the authorizations in this bill.

Mr. SHERLEY. I think we have not in any way hindered the Ordnance Department, and it applies more largely there than with the other departments.

Last year the bill carried for mobile artillery and ammunition therefor \$10,796,500 and authorizations of \$6,500,000, or a total of \$17,296,500. This year's bill carries \$16,210,000 for mobile artillery and ammunition, with contract authorizations of \$4,200,000, or a total of \$20,410,000, an increase over last year for mobile artillery and ammunition of three million one hundred and odd thousand dollars. That increase could probably be fully accounted for by the increased cost of obtaining the material. In other words, we are going practically no faster in supplying the artillery and ammunition than we were last year.

Mr. TOWNER. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. TOWNER. As a matter of fact, the amount carried in this bill for fortifications is comparatively very small?

Mr. SHERLEY. No; for actual fortifications it is greater than for mobile artillery. Last year the bill, as I stated, carried \$25,000,000 in cash and authorizations for fortifications. Now, not all of that was for new fortifications; a good deal is for maintenance. I say a good deal, but I mean a respectable sum was for maintenance. Some of it was, of course, for ammunition for existing fortifications, and some of it was for new fortifications themselves. The gentleman will find the detailed statement in the report, in which there is shown under subdivision A the amount of moneys that go in the way of what we might call new material, and in subdivision B what goes in the way of maintenance, upkeep, and repair.

Mr. TOWNER. But practically the bulk of the appropriation is for guns and ammunition. Can the gentleman give an idea of how much of the appropriations is expended in the physical construction of fortifications?

Mr. SHERLEY. If what the gentleman means by that is emplacement in contradistinction to guns and their carriages, that will be found in the consideration of the details of the bill on the last page or two of the report.

Mr. TOWNER. The amount spent for guns and ammunition, together with the authorizations, amount to \$45,000,000. Is that confined to continental United States?

Mr. SHERLEY. There is no division made to show the total amount of money which went for emplacement and the total amount of money that went for guns and carriages, at least in the report. It could be obtained, because we have the most complete financial statement touching fortifications of anything the Government has ever done. I have subdivided the matter so much now that I doubt if anybody will take the trouble to read it and understand it. That particular division did not occur to me as important.

Mr. TOWNER. Perhaps it is not important. Let me ask the gentleman, Was there an appropriation put in here for carrying on the work at the entrance to Chesapeake Bay?

Mr. SHERLEY. Yes; considerable for the armament and also for the emplacements. Last year the things that we undertook were largely those relating to the proposed fortifications at Cape Henry, the fortifications in connection with the defenses of New York, the building of a certain number of antiaircraft guns, and the building of carriages for the mounting of some spare 12-inch guns for high-angle fire that should be placed at various fortifications upon the Atlantic, the Gulf, and the Pacific. We also provided for one 14-inch mobile gun to be mounted on a railroad carriage, and for one 16-inch railway howitzer. This year the bill provides additional sums necessary for Cape Henry, for the New York defenses, for the building of carriages, and for the additional amount of money for the emplacement of the twenty-four 12-inch guns that are to be mounted for high-angle fire and for the additional antiaircraft guns. It also provides for the procurement of certain land at Boston and also in Delaware Bay as incident to the fortifications of Delaware Bay, the fortification there to consist of four 12-inch guns, and for the building of two carriages with all-around fire for the defenses at Charleston to replace those which are now there and which permit of the guns being fired only at a limited degree of elevation. The other items relate to maintenance and ammunition, which, it will be recalled under the Board of Review schemes, was very greatly increased; that is, the amount desired as reserves; and we are undertaking to very rapidly bring it up to the scheme that was there set forth. Also to the supplying of fire control for all of the 5 and 6 inch batteries, together

with such minor matters as searchlights, power plants, and so forth, in connection with the various fortifications. We are also providing for an additional number of mobile guns to be used in connection with seacoast defense; we provide for six 12-inch howitzers to be mounted on railroad cars, and four 16-inch railway howitzers and four 14-inch railway rifles.

Mr. LONGWORTH. Mr. Chairman, may I ask the gentleman what is the effective range of these modern guns?

Mr. SHERLEY. Of course, it varies with the different guns. The 12-inch gun that is mounted for high-angle fire has a range exceeding 30,000 yards, shooting a projectile weighing seven hundred pounds and odd. The 16-inch guns will have an effective range of exceeding 30,000 yards. The other 12-inch guns and the 14-inch guns have a less range, depending somewhat on their elevation and upon the weight of the projectile; but no new guns are to be provided for the primary armament of any place that shall be of less than 16-inch caliber, with an effective range of more than 30,000 yards, and that is away beyond any range at which any battles have ever taken place, either between naval vessels and land defenses or between warships.

Last year provision was made in the bill for the procurement of the patent rights of Mr. John Hayes Hammond, jr., to a radio-dynamic torpedo, provided a test that was ordered should prove satisfactory, and provision was also made for the installation of one unit for the use of such torpedoes in the event these rights were acquired and the project was approved. The personnel of the board that was created, a joint board of Army and Navy officers, has been appointed. They have furnished Mr. Hammond with the use of an aeroplane and of some Government boats and other things necessary to enable him to make his test, and it is expected that these tests will be had very shortly, but as yet they have not been had and no report has been made, and, of course, no moneys have been nor will be expended unless the report of that board shall be favorable and shall be approved by the President of the United States.

Mr. TILSON. The appropriation made last year continues available for that purpose?

Mr. SHERLEY. Yes. Last year the committee also carried upon its own initiative the provision for \$1,000,000 for the equipment of private plants with jigs, dies, tools, etc., to enable them to manufacture guns and ammunition that might be needed by the Government. This year \$500,000 was submitted as an estimate for a similar purpose, but it developed in the hearings that the \$1,000,000 had not been expended, due to two causes: First, it was the belief of the War Department that it ought not to place this money among various manufacturers who were then considering proposals for bids to the Government until after those bids had been made, because, manifestly, it would have been unfair to give to one manufacturer as against another the advantage in bidding that would come from this equipment. The other reason, and perhaps one of more importance, was that the whole matter had been submitted to the Board of National Defense touching the plan that should be followed in supplying these manufactures, the type of manufactures, their location and their probable output, all of those matters being proper and necessary matters to determine before this money could be wisely expended; and in view of the fact that they now have \$1,000,000 the committee did not feel warranted in adding to that sum until they had actually used it, and we had the benefit of the experience gained from that expenditure.

Mr. TILSON. Has there not been this further difficulty of being uncertain as yet, before having it thoroughly tested out, as to the designs and kinds that should be secured, the number of each, and so on?

Mr. SHERLEY. Oh, yes; all of those details.

Mr. TILSON. In other words, it is necessary that there be a thorough study of the subject made before there can be any assurance that the money appropriated will be wisely expended?

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I shall ask the Clerk to read the bill.

The CHAIRMAN. The Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

*Be it enacted, etc.* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available and to continue available until expended, namely:

Mr. SHERLEY. Mr. Chairman, I move to strike out the last word. There were a few other matters I think I ought to bring to the attention of the committee before we take up the detailed consideration of the bill. One is that there is found in this year's bill provision for the creation, operation, and maintenance



of squadrons of hydroaeroplanes to be used in connection with the seacoast defense. That was put into the bill because it became apparent in the hearings had that a considerable portion of the money appropriated last year by Congress for the purchase of aeroplanes was being used for the creation of certain squadrons in connection with seacoast defenses, and it was believed by the committee that the matter was one that properly belonged to this committee and jurisdiction of it should be taken, not with the idea of robbing another committee or of increasing our scope but because of the necessarily intimate relationship between the use of these hydroaeroplanes and the coast defenses, and particularly because of the fact that in the housing of them and in the maintenance of them, in regard to the necessary ground, the equipment for taking care of them, that committee which dealt with fortifications was the only committee that was in possession of the detailed information touching these fortifications that should be available in order to properly determine upon estimates and needs in connection with this new branch of fire control, because that is practically what it is. While their value in scouting purposes will be great, one of their very great values will be in providing an additional method for fire control of the guns.

It frequently occurs that, owing to fog or to a smoke screen that could be made by an attacking fleet, the observation stations in connection with seacoast batteries, which are relied upon to furnish the information whereby the guns are aimed and fired, could not see their targets, and the value of having an aeroplane that could fly high enough to be above this obstruction of cloud or smoke and out of the range of anti-aircraft guns aboard the ship and yet in position where it could be observed from these fire-control stations, and the information obtained whereby the guns could be aimed exactly as if the target were visible from the observing station, will be tremendous in connection with the effective use of fortifications. In addition to that, it is believed that these hydroaeroplanes can very probably be used in the way of dropping flares which will light up the target and its immediate surrounding while leaving the fortifications obscured and in the dark, whereas the searchlight has the disadvantage of at least indicating with some degree of certainty the location of the fortification when it is used to illuminate the enemy's ships, and their use in that regard is believed to be one that will mark a very considerable addition to the effectiveness of seacoast fortifications.

Mr. FESS. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. FESS. Does the gentleman regard the hydroaeroplane as beyond the stage of experimentation now?

Mr. SHERLEY. I think there is no doubt of that fact, and I think my view is shared by the committee. Now, I do not mean by that we are not in a condition where there is and will continue to be an evolution as to types, or where we have reached final knowledge as to the useful activities of such aircraft, but I do mean that the ability successfully to use such aircraft in connection with the firing of large guns has long passed the questionable stage.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. Mr. Chairman, I would ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GILLET. May I state to the gentleman or ask him—he does not mean to indicate, does he, that the hydroaeroplanes are to be used to the exclusion of aeroplanes in connection with those fortifications?

Mr. SHERLEY. Hydroaeroplanes are to be used at fortifications—

Mr. GILLET. We sometimes want some aeroplanes.

Mr. SHERLEY. Yes; but the squadrons that are being created are squadrons of hydroaeroplanes, because they will light on the water about the fortifications, and for that reason these types are used rather than the aeroplanes. The testimony of Col. Squiers before our committee showed there were a number of types developed, dependent upon the particular work that they had to do. Some of them were to be very light, fast craft, to be used for very wide ranges of activities and dependent upon their speed very largely for their safety. Others were to be of a slower type, still with considerable speed, but of a slower, heavier type. The different types will carry different amounts of armament. Some would be literally fighting machines, while some would be only used for such purposes as I have indicated, however having armament sufficient to protect them from destruction by an enemy's aeroplane or hydroaeroplane. When this section is reached I will endeavor to give more detailed information than I am undertaking to do now, but I thought it well to call the attention of the committee to the fact that these

items were being carried in the bill in order that no one might be taken by surprise in that regard.

Now, I desire very briefly to make a statement, which I think will prove of very great interest to the House. A great deal has been said and will be said, unfortunately, in the future touching the expenditure of money in America, touching the relative amounts that one section of the country gets as against another section of the country. For my part, I am glad in 14 years' service in this body that I have never felt the need or occasion to make a speech in favor of a locality or a section as against any other locality or section, and that during those 14 years I have neither felt the desire nor the need to make a speech in favor of one class of men as against any other group of men. [Applause.]

If a proposition can not be defended because of its inherent merit, without regard to locality or to class, it has no right to a defense at all. And to my mind nothing is more unfortunate than the attempt by partisans on both sides to constantly create the impression that efforts are being made by groups of men to appropriate moneys with regard to geography only. But inasmuch as many statements have been made, some publicly and some privately, as to expenditures of money for coast-defense purposes, I thought it would interest this House if I should give them an accurate detailed statement as to the moneys that have been expended north of Washington on the Atlantic, and including Washington, south on the Atlantic and the Gulf, and on the Pacific, and, in addition, what is proposed to be expended under the new scheme in the North Atlantic, South Atlantic and Gulf, and the Pacific.

Since 1888 and up to June 30, 1915, for seacoast fortification at points on the North and Central Atlantic coast there have been expended \$41,551,143.48. There is contemplated as necessary, under the scheme of the Board of Review as originally submitted, for expenditure on the North and Central Atlantic coast, \$19,216,424, which, if it be done, will make a total expenditure for that section of \$60,767,567.48.

There has been expended since 1888 and to June 30, 1915, for seacoast fortification at points on the Gulf and South Atlantic coast—and I will say in passing that Washington was treated as belonging to the southern section—\$22,647,272.17. There is contemplated an expenditure under the Board of Review scheme of \$9,067,492, or a total of \$31,714,764.17. For the Pacific coast there has been expended since 1888 to June 30, 1915, \$17,751,850.22. There is contemplated under the Board of Review project an expenditure of \$11,844,491, which would make a total of \$29,596,341.22.

Now, from that it will appear that when this scheme is carried out there will have been appropriated for the North Atlantic almost twice the amount as for the South Atlantic and the Gulf, and there will have been appropriated more than twice for the North Atlantic than for the Pacific, and there will have been appropriated for the South and the Gulf more by \$2,000,000 than for all the Pacific coast. Now, these figures show one thing, and one thing only, and that is a thing that ought never to be lost sight of, namely, that, fortunately for this country, expenditures in connection with seacoast fortifications have not been made on account of geographical inducements—that is, geographical in the sense of geographic-political inducements—but that they have always been made and are proposed to be made simply with regard to the needs, due somewhat to the number of harbors, due a very great deal to the centers of population and the governmental activities that are to be protected, and to the amount of wealth that is centered in the areas sought to be protected. And these fortifications have been built, so far as the wisdom of the men who have planned these various projects could provide, with an idea solely to protect this country as a whole, a protection according to its need at different places, and not with the idea of putting so much money in one section and so much money in another. And it will, in my judgment, be an exceedingly sorry day for America if ever fortification appropriations are made as the result of local pressure, for particular localities, and with an idea to equalize expenditures in various sections of the country. [Applause.]

Now, I say this because I think it is important that this committee, that the country should know it, and I say it because I again want to express my utter abhorrence of the frequent arguments that are made by men, unfortunately on both sides of the House, touching geographical political situations in regard to great matters of national concern. If we deserve the country which we are so fortunate to live in and to speak for as its Representatives, we will be broad enough to see it as a whole and not merely to see a part of it. [Applause.]

Mr. TOWNER. Will the gentleman yield?

Mr. SHERLEY. Certainly.



The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TOWNER. In the armament appropriation, in this particular paragraph at the bottom of page 4, for purchase, manufacture, and test of mountain, field, and siege cannon, and so forth, I understand that is all mobile armament, is it not?

Mr. SHERLEY. Yes, sir.

Mr. TOWNER. And it would include those 16-inch guns?

Mr. SHERLEY. Well, it could embrace 16-inch guns; but, in point of fact, it does not. The biggest gun that is now contemplated to be built for the mobile Army is, I think, a 9.5 howitzer.

Mr. TOWNER. That includes the guns that are operated on the railroads?

Mr. SHERLEY. No. The guns that we are providing for operation upon the railroads—14-inch rifles, 16-inch howitzers, and 12-inch howitzers—are, presumably, for use in connection with seacoast defense. But they could, and probably would, be used, if necessary, in connection with mobile operations in the interior.

Mr. TOWNER. Then I suppose all the 16-inch guns would be under the provision for seacoast defense?

Mr. SHERLEY. Yes. Every 16-inch gun we are building is intended to be used on fixed emplacements for seacoast purposes.

Mr. TOWNER. Now, the appropriation for the ammunition for those guns is \$10,940,000. What is the assurance, or what is the opinion the gentleman has, regarding the ability to procure for the use of the Army and for fortifications the 16-inch shells, having in mind the difficulty that the Navy Department is having in that connection?

Mr. SHERLEY. Oh, well, I have no doubt that we will make—I am rather inclined to believe that we are now making—16-inch shells, because we have one 16-inch gun for Panama. But certainly by the time these guns are ready to be mounted we will be able to make a 16-inch shell. There is no difficulty in making a 16-inch shell as against a 14-inch shell. The problem that the Bethlehem people complained of was the problem of creating a shell of sufficient hardness to penetrate armor of certain thickness and hardness at a given angle, which they said was a very severe test. According to their newspaper advertisements they had spent a great deal of money in trying to create a shell that would come up to that test. I am informed that that is not an unfair test. It is a test that is met by the makers of ammunition for other Governments, and it is believed there ought not to be any difficulty in meeting it for the Navy.

Mr. TOWNER. I was wondering how the estimates were made; upon what conception of the probable cost is this estimate that is made for \$10,900,000? I am speaking of the one for the ammunition.

Mr. SHERLEY. The estimate as to cost is based on past experience of the Ordnance Department. I think this year there has been added 20 per cent for cost of ammunition due to the higher market, and as to the guns 25 per cent. Those are the estimates submitted by Gen. Crozier, the Chief of Ordnance, and usually he knows what it is going to cost. Of course, the committee has no personal knowledge, and could not have, as to what it is going to cost.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. ROGERS. Referring to that same paragraph for ammunition for seacoast cannon, the total amount of authorization was \$13,000,000 this year, was it not?

Mr. SHERLEY. Yes; \$10,940,000 cash and \$2,000,000 of contract authorizations.

Mr. ROGERS. Two years ago this corresponding bill carried from \$200,000 to \$300,000 for the same purpose, I think.

Mr. SHERLEY. Yes; it carried \$200,000.

Mr. ROGERS. The statement was made on the floor at that time, and repeated quite broadly throughout the country, that the amount of ammunition then in our seacoast forts would not defend the country on an average more than 43 or 44 minutes. I think the gentleman from Kentucky denied the truth of that statement, but it was very widely made at all events. I wondered whether the gentleman could tell the House or the committee how long the ammunition appropriated for in this bill would be effective to withstand an attack. Is there any comparative suggestion that the gentleman could make along that line?

Mr. SHERLEY. No; because that would take a calculation that I would not want to undertake to make on my feet. But I think I can tell the gentleman this, and perhaps it is well that

it should be told: Prior to the adoption of the Board of Review's policy the then existing scheme for reserve ammunition contemplated a reserve for guns in the insular possessions of a two hours' supply, and for guns in the United States of one hour's supply, the theory being that both coasts would not be attacked at one time, or presumably all of one coast, and that that ammunition might be transferred from one place to another. When the Board of Review came to consider that matter they determined that the amount deemed necessary as a reserve was totally inadequate, and they provided—I would like to read accurately. Instead of trusting my memory—they provided in substance for an accuracy life of the guns in connection with the guns in the insular possessions, and for a correspondingly great increase in regard to the guns in the United States.

We had up to that time accumulated about 73 per cent of the total reserve that had been deemed requisite. That 73 per cent represented for some types of guns 100 per cent, and for other types of guns and mortars considerably under 73 per cent, but an average of 73 per cent. The \$200,000 that was appropriated would have increased that only something over 1 per cent.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may continue until he finishes his remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SHERLEY. When that bill was brought on the floor gentlemen will recall that it was a bill carrying about \$7,000,000. I did not undertake to deceive the House then, though I stood by the bill as made, because men in responsible place in legislative bodies must act in the capacity not of an individual but of the chairman of the committee that he is given the right to speak for. So he speaks for his committee, and for his party, and for the administration, as the facts may be at that time. But I very frankly said to the House that that was the weakest place in connection with the bill that was presented, and that if the committee saw fit to overrule the Fortifications Committee and increase the amount, all right.

Well, I think the gentleman from Massachusetts [Mr. GARDNER] offered an amendment, but the Committee of the Whole did not agree with him, and the amendment was not agreed to, and the original amount was carried. After the review was made and they reported these very greatly increased allowances, then the Committee on Fortifications, in my judgment very properly, began to increase greatly the appropriation for this purpose, and this year we allow all that has been asked touching the reserve ammunition for seacoast guns.

Now, I can give the gentleman actually the scheme as it exists now for the reserve supply:

The recommendation of the Board of Review for reserve seacoast ammunition is as follows:

"(a) For guns in continental United States, except guns of 8-inch caliber and upward on inner lines of defense, allowances equal to one-half the accuracy life of the respective calibers; for mortars, except on inner lines of defense, an allowance equal to one-fourth the accuracy life.

"(b) For armament of 8-inch caliber and upward on inner lines of defense in continental United States, allowances equal to one-half those for outer lines.

"(c) For guns in the insular possessions and on the Canal Zone, allowances equal to the accuracy life of the respective calibers; for mortars, an allowance equal to two-thirds of the accuracy life."

The difference between the mortar and the gun being the fact that the mortars are shot with a lower muzzle velocity and so do not have the very rapid deterioration of the rifling that occurs in the rifles.

Mr. ROGERS. The previous statement of the gentleman that the board requires one hour's supply to be on hand and there was in fact but 73 per cent of an hour, seems readily translated by the layman into terms that are intelligible, but the report that the gentleman has just given of course means nothing at all to the layman.

Mr. SHERLEY. I will try to translate it. It means an increase of more than 200 per cent in the allowance for the gun, so that for continental United States it would have a meaning of more than two hours' allowance.

Now, it is proper to say that the public, aided by some sensational writers, had a total misconception of what two hours meant. They seem to think that it means that in two hours after the fight might have started we would be completely out of ammunition. That would be true if during those two hours all these guns were used at the maximum capacity in the way of rapidity of fire. It is also true that a little later on, at that same rapidity of fire, your guns would be inaccurate in their shooting due to the erosion of the rifling.

Mr. GARDNER. The question of the gentleman from Massachusetts [Mr. ROGERS] anticipated what I was going to say.



That is about equivalent to two hours' ammunition for each of our 12-inch guns and the coming 14-inch guns?

Mr. SHERLEY. I should say it was considerably over that.

Mr. GARDNER. Would the gentleman say it was three hours?

Mr. SHERLEY. No; I am not sure it is quite that. Of course, the old scheme was based on the idea as to the probable time that guns would be in action, and the transference of ammunition from coast to coast and from locality to locality. The latter consideration was eliminated as being an unwarrantable one in the scheme adopted in the board of review.

Mr. GARDNER. I understand each one of the coast defenses is to have its own supply of reserve ammunition, and that is to be half the life of the big guns.

Mr. SHERLEY. Not in the insular possessions. That is to be for the life of the guns because it was not believed that after the war broke out there would be any certainty or probability of being able to convey there additional ammunition; whereas, presumably, in America after the war broke we would immediately begin to add to our supply of ammunition, and there would be an opportunity to increase the amount. But in the judgment of a great many men the allowance we are making for the United States, if it was not increased at all, would be considered as exceedingly liberal.

Mr. GARDNER. The gentleman means that if it was not increased after the war broke out?

Mr. SHERLEY. Yes.

Mr. GARDNER. What does the gentleman think about it?

Mr. SHERLEY. I do not know that I permit myself to have an opinion about matters that are that technical. I think one of the greatest errors a man can fall into here is to assume that a limited amount of work can qualify him as an expert in a science that takes a life to master.

Mr. GARDNER. That is true; but it is something like a crucible in which a lot of fats are boiled and there is a precipitate. The gentleman has had a long experience in the House, and the House has as much confidence in him as in any other Member of the House, and I would like to know his opinion, if he is willing to give it.

Mr. SHERLEY. I will answer the gentleman frankly that I have not thought about it in the way the gentleman puts it. I will tell the gentleman why. I have a certain elasticity of mind, but it is being strained a good deal. I have traveled pretty fast lately. Here was the old scheme that was thrown into the discard and a new scheme representing 200 per cent increase that was supposedly the judgment of the best men we had in the service who dealt with the subject. I have thought that until we reached its fulfillment I did not need to worry myself very much about whether we wanted to go a little bit further or not, because apparently I have all I can do to get Congress to agree with me in going this far.

Mr. GARDNER. Until we have one-quarter of the life of the gun the gentleman thinks it is not much use to worry about going further?

Mr. SHERLEY. I think we are beyond that. I am traveling along the road, and until I am at the end of it I do not concern myself as to how much further a new road may extend.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman.

Mr. GREENE of Vermont. In this report, when the accuracy life of the gun is referred to, does that mean the figure that was formerly held in the case of each caliber before this European war, or is it based upon some observation since the war has been under way?

Mr. SHERLEY. Of course it is an estimate. We have shot some guns to the limit of their accuracy life, because in this bill we are providing for relining some guns; but the 14-inch guns we have not shot to the limit of their accuracy life, and the 16-inch guns we certainly have not, and those are certainly estimates; but they are estimates which have been worked out, and which represent a given number of rounds for the accuracy life of the gun. Now, I have not stated what that was—

Mr. GREENE of Vermont. I understand.

Mr. SHERLEY. I think we rather go to the extreme in what we do say about these matters; and it seems to me better to leave it as the board left it—in that general term, the accuracy life.

Mr. GREENE of Vermont. I understand the purpose of employing that term; but I only wanted to ask the gentleman whether that term would signify to those who were more or less informed about the matter the figures which were arbitrarily set as an estimate before the war or whether they have been modified since the war began?

Mr. SHERLEY. I think there is a general understanding as to about what is meant by the accuracy life of the various calibers. That is the understanding by the experts in ordnance and artillery.

Mr. GREENE of Vermont. Exactly; but that does not answer my question. If the chairman of the subcommittee will permit, I meant to ask whether that understanding was the understanding which the department had, in figures which were generally made public, as to what was expected to be the accuracy life of the various guns then in the service, or whether those figures had been modified since the beginning of the European war?

Mr. SHERLEY. I think we have not had any experience from the European war, unless perhaps some that might have been obtained from the North Sea fight, touching how quickly these guns would wear out. We do know that some of the English ships that were in the North Sea fight had to have their guns relined.

Mr. GREENE of Vermont. I am speaking more particularly of the mobile field artillery, and the suggestion has come several times, I understand, from the European battle fields that the former estimates of the probable accuracy life of cannon were very much under the real demonstrations by experience.

Mr. SHERLEY. Touching field artillery, I have not gone into that. Of course, as to mortars and howitzers, the accuracy life is very much greater than that of rifles which have a very high muzzle velocity. The accuracy life is probably beyond what we would be able to supply in the way of ammunition for mortars and howitzers.

Mr. SMITH of Minnesota. What has the committee done in reference to the fortifications of the canal?

Mr. SHERLEY. This bill does not carry any appropriation for the canal. That appropriation comes in the sundry civil bill, and I would rather not go into it in connection with this bill.

Mr. FESS. Will the gentleman yield to me?

Mr. SHERLEY. Yes.

Mr. FESS. I was summoning up these appropriations here—about \$145,000,000. I was wondering whether with the successive years the charge will lessen or increase. What are we to expect? Will some of these be fixed annual charges?

Mr. SHERLEY. It was estimated by the Board of Review that after their scheme was carried out there would be about a \$2,000,000 annual maintenance charge, I think. That is my recollection. Now, frankly, I believe there never will come a time, as long as you have fortifications, when the matter will be finished and when there will be nothing but maintenance. And I will go further and say I think there never ought to come such a time; because if it came it would be a practical evidence of stagnation on the part of those who plan and design these matters. It is impossible to forecast the future sufficiently to provide for the exigencies that it will bring forward.

I have frequently said on this floor, and I say it now, that I think we are the best fortified country in the world; and I think, speaking by and large, our defenses are adequate. Yet that has not kept me from recommending to the Congress projects that look to the spending of \$96,000,000—practically nearly as much as they cost—for bettering them.

Mr. FESS. There might be something in the future that would make our present fortifications inadequate.

Mr. SHERLEY. Of course. For instance, the things that we are doing now in the expenditure of this \$96,000,000 are largely the result of new developments that could not be foreseen by anybody. We are providing antiaircraft guns. In looking over some of the old hearings the other day I saw where Gen. Allen, then Chief of the Signal Corps, trying to get a balloon authorized by Congress, was asked the question whether the balloon could be hit by gunfire, and he said "no"; that it could probably stay 1,000 feet or more up in the air, and that it could not be hit at all. To-day an aeroplane that does not fly 6,000 or 7,000 feet high has not much chance of doing a great deal more flying. The result is that we have had to build antiaircraft guns because of the danger that comes from the flying machines. We are building guns of very greatly increased range, due to the fact that battleships are now carrying guns with a range away beyond what was believed possible a few years ago. We are also adding to the volume of our fire because of the fact that the volume of fire from battleships has been very greatly increased. This is always just a contest between the offensive and the defensive, and it will not end, apparently, until the ingenuity of man has ended.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.



Mr. MILLER of Minnesota. I assume the gentleman has plenty of time, for I do not want to encroach upon his good nature.

Mr. SHERLEY. Oh, I have more time than information, as some one said the other day.

Mr. MILLER of Minnesota. I do not think the gentleman can ever have that. I want to get back to the old subject. Is it proposed with these new 16-inch guns that any of them shall have a mount other than a disappearing carriage?

Mr. SHERLEY. The Board of Review adopted generally the disappearing carriage, but provided that they should hereafter have an all-around fire wherever it was desired, and also left open the use of barbette carriages where there were particular reasons to make them desirable as against the disappearing carriage, and in point of fact we are building, for instance, in the eastern entrance to Long Island, some turrets in which are going to be mounted some 16-inch guns, and of course they will not be upon disappearing-gun carriages. I have no doubt that there will be in the future a number of guns at certain places that will be mounted on barbette or some carriage other than the disappearing-gun carriage.

Mr. MILLER of Minnesota. Might I make one further inquiry, and I might possibly be permitted to make a little preface so that the gentleman will understand my point of view. My own information, as I have gathered it from men interested, has been that up to the 12-inch size the disappearing-gun carriage is certainly an excellent thing, but there is some doubt in the minds of some men as to any size above that, and I found quite a large number of officers who maintain it is impossible to build a disappearing-gun carriage that will efficiently serve that sized gun, for several reasons. One is that the length of the gun is so great that when it is lowered the men must get so far back from the emplacement and protection that they practically have no protection at all. The second is the weight of the gun is such that it is impossible to get proper counter-balances to make it work well. There have been some experimentations lately, and I thought perhaps the gentleman might enlighten us upon them. I have been told that the defenses at Cape Henry have been delayed in the installment of the 16-inch guns by reason of the department not yet having perfected a carriage of the disappearing type that will carry the guns.

Mr. SHERLEY. I would not put it quite so strong; but the gentleman appreciates that the very moment you get a different caliber gun the whole question of weight and strains and stresses changes, and it becomes necessary to work out an entirely new computation and set of tables touching the carriage to hold that gun. I will say this to the gentleman, though it more properly would come in connection with the Panama defenses—at least, I would have mentioned it then: Some of the guns at Panama, the 14-inch guns, were mounted on disappearing-gun carriages that in their use developed a weakness in connection with the carriage. There was a breakage of one of the pins, I think, due to the fact that this steel, which had been tested for tensile strength, hardness, and so forth, had not been tested—because only recently have they learned how, successfully—in regard to its ability to withstand shock, a certain feature of brittleness, and as a result some of those did break. A great many others did not, but there were spare parts for those that did, so that the guns are in commission. Since then that problem has been met successfully, according to the testimony before the committee, in two ways: First, by the production of a steel that will stand the shock, and, second, by a cushion against the shock, so that they have both removed the cause and created steel of a character to take care of it even if they had not removed the cause. In other words, they have apparently reached a double insurance against the recurrence of that trouble.

Mr. MILLER of Minnesota. I understood there was some difficulty there, and that no doubt has been met as the gentleman indicates; but has the difficulty heretofore experienced with the 16-inch gun been met?

Mr. SHERLEY. In the first place, I do not agree with the gentleman in respect to the expression "difficulty heretofore experienced." We have just been building one 16-inch gun carriage for the one 16-inch gun which now exists in America, and that is being tested out at the Sandy Hook Proving Grounds. Presumably the gun and carriage will go to Panama very shortly. That is my understanding.

Mr. GARDNER. But that is only of 35 calibers.

Mr. SHERLEY. Yes.

Mr. GARDNER. So that that would not meet the difficulty the gentleman points out.

Mr. SHERLEY. Of course, you can not test a disappearing carriage for a 50-caliber 16-inch gun until you have a 50-caliber 16-inch gun.

Mr. GARDNER. Yes; but the successful test of that carriage would not meet the gentleman's point that the gun is so long that it brings into range the men who operate the gun.

Mr. SHERLEY. I, perhaps, do not attach the weight to that particular suggestion that the gentleman from Minnesota, [Mr. MILLER] does. I happen to have seen fortifications shot at by battleships at long ranges where presumably you would get the plunging fire that has made so many people think that the reason for the disappearing-gun carriage had passed, and also at shorter ranges.

Mr. MILLER of Minnesota. I presume the gentleman refers to the experiments at Pensacola?

Mr. SHERLEY. No; at Mobile. I have no doubt of this, that, as between the disappearing carriage and the barbette carriage, the disappearing carriage does give a very increased protection to the gun. I do not mean by that that I think you will never hit a disappearing gun carriage and put it out of commission. As to the point in respect to the men, I can not see how the added length would expose them very much more to fire, and, without meaning this in any sense as a brutal remark, because I would like to see the men protected as much as possible, that can never be the main consideration in determining the types to be used, because unfortunately in great wars we have to sacrifice men frequently where you do not sacrifice the guns.

Mr. GARDNER. You have to sacrifice men to save other men's lives.

Mr. MILLER of Minnesota. The gentleman will probably concede, however, that any shot that destroyed a gun crew would very probably put the gun carriage out of business?

Mr. SHERLEY. No; I would not concede that at all, because I have actually seen shots that hit right in front of the emplacement and exploded, and, according to the damage done to dummies which were placed where the gun crew would have been, would have killed one of them, wounded another, but did not hurt the gun a particle, so it is easily possible to hurt the gun crew without putting the gun out of commission.

Mr. MILLER of Minnesota. Just one final question and then I will not trespass further on the gentleman: Is the department making any experiments whatever toward perfecting the barbette carriage and making it more serviceable than the disappearing carriage for large guns?

Mr. SHERLEY. I do not know, but frankly I should rather suspect not.

Mr. MILLER of Minnesota. Does not the gentleman think it would be wise if we should experiment to see which after all is the better type for these large guns?

Mr. SHERLEY. I personally would have no objection to it. I should have stated that the ordnance people are building a number of barbette carriages for 12-inch guns. I think it is fair to say in regard to the ordnance department that they have a tremendous amount of work to do, more work than they can do, and Congress never will undertake to relieve the pressure that exists now and that will exist a hundredfold more if war comes in such places as that, and, as I said last year, if we ever get into a great war, where we are going to break down worst is at the desks of the men who have charge of supplying these great munitions.

Now, these men are engaged in a tremendous amount of work and in doing things that have been ordered to be done. It is true, as the gentleman knows, Gen. Crozier himself believes in the disappearing-gun carriage as against the barbette carriage, but it is also true that the board has determined on the type generally. Now, he is the officer who is actually to create things, and he is simply following the recommendations that have been made.

Mr. MILLER of Minnesota. If I may be allowed to say this: The gentleman knows I have no technical knowledge of the subject and do not pretend to have, but, being interested in the subject, I visited the best fortifications of this country on both coasts, in Hawaii, in the Philippines, in Panama, and I think it is only fair to say I have tried to converse with every captain serving a gun, with most of the colonels of most of the Artillery Corps, and I have never yet found one man of the whole lot who did not, without reservation, say that he would rather have the barbette carriage by all means than the disappearing type. I do not know whether they are right or wrong, but I do think this almost unanimous opinion on the part of the men who are actually serving the guns ought to be given the consideration of having a barbette carriage type brought to perfection; and they all tell me that the barbette carriages, which thus far have been very few in number, have been of the most ancient and archaic character, so that in most places they are placed they have never had a fair test.

Mr. SHERLEY. Well, I can say this to the gentleman in reply to that: There is probably no subject in connection with



seacoast guns that has been so frequently investigated and reported on as this old controversy between the disappearing and the barbette carriage, and every decision has been in favor of the disappearing-gun carriage.

Mr. MILLER of Minnesota. Has that decision been by men who actually served the guns or by men in the office? I say that not in disparagement of men in the office, but—

Mr. SHERLEY. It has been both by men who were in the line generally and men who were on the staff and by men who actually used the guns. Now, I have talked to a great many men, just as the gentleman has, and I have visited quite a few fortifications. I have not found anything like the preponderance that he speaks of in favor of the barbette carriage. I have found that most of the junior officers have expressed a preference, but I have also found when I examined them as to the reasons that their reasons did not seem to stand analysis. Now, I would not let that alone determine me, but the judgment of these boards rather convinces me, because it has been so openly and so frequently pronounced.

Mr. GARDNER. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. GARDNER. The findings of the board of review are confidential, and I do not want to ask the gentleman any questions which the gentleman ought not to answer, but in this case where they do recommend the use of the barbette carriage, why do they recommend that?

Mr. SHERLEY. So far as those details are concerned, I have not the information myself. I think this is true: I think that there may be places you might want to use a rather higher angle of fire than you would get ordinarily with a disappearing-gun carriage, and for that reason you might use a barbette carriage. Then there might be a question of space in connection with your emplacements that would determine whether you wanted one or the other.

Mr. GARDNER. Well, now, the gentleman told us last year, for instance, if I recall rightly, or somebody else, that they were mounting a lot of these 12-inch guns as howitzers.

Mr. SHERLEY. They were going to mount them on barbette carriages with a 30° elevation.

Mr. GARDNER. That is practically mounting them as howitzers; it is somewhere between rifles and mortars.

Mr. SHERLEY. Except they can use them, of course, at much less elevation.

Mr. GARDNER. On the disappearing-gun carriage 15° is the greatest change, is it not—the greatest angle of difference for depression or elevation of the muzzle?

Mr. SHERLEY. It is now as to the old 12-inch gun. The 14's will have 20° elevation and the new ones that are being planned, I think, will have a 30° elevation.

Mr. GARDNER. And no depression? You mean 30 altogether?

Mr. SHERLEY. A 30° range. Of course, if you had a 5° depression, which would be a maximum depression, you would then have a 25° maximum elevation; but the argument that was originally made by some against the disappearing-gun carriage, that it did not permit the use of guns for all-around fire or for high elevation, and therefore great range, has been answered by the statement that the carriages will provide both for all-around fire and high-degree elevation.

Mr. GARDNER. Of course, those were two of the great arguments that were used. My impression is a good deal like that of the gentleman from Minnesota as to the officers, but it is quite possible they formed their opinion because of the immobility of the disappearing carriage.

Mr. SHERLEY. I do not wish to disagree with the judgment of these junior officers, and yet I do not suppose there will ever come a time that the fellow who uses a thing will agree with the man who makes it, because he sees simply the problem that confronts him as to the use of it, whereas the other fellow has the problem of making the thing, which raises a good many others that do not present themselves to the user. Now, I have no doubt if we had barbette carriages in all this time you would find a great preponderance of men who would insist we ought to have had disappearing-gun carriages, because that is human nature.

Mr. GARDNER. It is very possible.

Mr. WHALEY. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. WHALEY. For my own information, I will say that I find here on page 2 of the report you have a statement as follows:

Carriages for two all-around fire 12-inch guns for Charleston, \$150,000.

When the appropriation bill was up last year I was told the forts of Charleston would be taken care of, and you afterwards said that an appropriation of \$150,000 could fix the two 12-inch carriages. Was that in addition to this amount in this year's report?

Mr. SHERLEY. No. They were telling you that they were going to ask \$150,000 for fixing them up. That did not mean they were going to have that out of funds that were being appropriated.

Mr. WHALEY. There are four 12-inch guns down there. Is it the purpose to fix the carriage of one on Fort Sumter and one on Fort Moultrie, or to fix the two on Fort Sumter and have none on Fort Moultrie?

Mr. SHERLEY. I am not sure of my memory, as I have had a right severe test put on it this afternoon, but my impression is that the two guns are to be at Sumter.

Mr. WHALEY. The statement made to me by the officers down there last year, before the fortifications bill of 1916 was passed, was that carriages of the guns of Fort Sumter could not be moved; that they were absolutely worthless; that they had disappearing-gun carriages, but they could not be worked.

Mr. SHERLEY. That statement, that the gentleman has repeatedly given to me personally, and which has to-day been given the committee, and which I do not for an instant question was given to him, is contradicted absolutely and emphatically by the men who have inspected Charleston; and I took pains this year—and the gentleman will find it in the hearings—to ascertain what sort of inspection was being made of fortifications generally, because we carry a provision there for maintenance of fortifications, and presumably we are keeping them in good condition. There are three to four inspections made by different men of the fortifications of America annually. Now, to believe that those guns were not usable, and that that fact should not be known here in Washington after four annual inspections, is to believe what I do not for an instant believe.

Mr. WHALEY. Does not the gentleman recall that I brought him a witness who is president of the Chamber of Commerce of the United States, and who was present at the time and stayed there for hours, and who said that the guns could not be worked when ordered by the colonel in charge of the fort?

Mr. SHERLEY. That may be, but that would not prove anything.

Mr. WHALEY. It would prove that they could not be used.

Mr. SHERLEY. It would prove that they could not be used at that particular moment. That is all it would prove.

Mr. WHALEY. And six months afterwards the colonel of the fort told me they had not been used up to that time, and therefore I suppose that does not prove it either. And I came afterwards and asked you to provide carriages so that the guns could be used, and I afterwards understood the appropriation was to be made. Is this appropriation to be made so that the guns can be used?

Mr. SHERLEY. The gentleman will not have difficulty to get at what the appropriation will be used for, so far as the committee on fortifications can inform him. If the gentleman will look at the record and not trust to his memory, he will see that there was no statement in the hearings or on the floor that out of the appropriations of last year \$150,000 was to be used in Charleston. In point of fact, it was just the contrary. I said to the gentleman on a number of occasions, when he was pressing me as to the work at Charleston, that Charleston would be reached, but we could not do it within the scope of the bill last year. And I took occasion to have reports made repeatedly, not once, but several reports were made, from Charleston, touching the condition of the fortifications there.

Now, I am not questioning at all the gentleman's good faith in his belief touching the conditions there, but I say that the testimony taken before the committee does not warrant the belief in the conditions being such as represented.

Now here is the trouble—

Mr. WHALEY. Will the gentleman allow me to interrupt him just there? My statement was that I asked you on the floor last year during the hearings on this bill if anything was going to be done for Charleston. Your reply to me was that it would be taken care of. After the fortifications bill had passed I saw Gen. Weaver, who was the head of the bureau, and he told me that \$150,000 of that fund of last year would be appropriated or set aside to fix these guns, these carriages, that to-day you are appropriating for.

Mr. SHERLEY. Well, in the first place, I have only this to say, that if Gen. Weaver told you that, he was mistaken, and the reason why he was mistaken is this: There has always been an understanding between the officers of the Army and the committee making the appropriation that the moneys will be



expended for the purposes that have been indicated in the testimony at the time the estimates are submitted, and so careful have those gentlemen been in carrying out that understanding that when emergencies have arisen making necessary an alteration of the program they have, wherever it was possible, communicated that fact to the committee making the appropriation, in order to ask their consent, that they might not be subject to the criticism of having obtained money for one purpose and using it for another, because we carry these items in such general terms that they are available anywhere for a particular work.

For instance, funds for emplacement work can be used anywhere in the United States, and the money for ordnance could be used for ordnance anywhere. But they do not do it, and therefore I am positive in my statement that it was not intended by anybody that there should be expended last year \$150,000 for Charleston.

Mr. WHALEY. Now let me ask you another question. Is there any place where you can find out where the appropriation is to be applied for fortification purposes?

Mr. SHERLEY. Yes. The gentleman can find it in the hearings, or as a rule in the committee reports.

Mr. WHALEY. The gentleman says that the officers can apply it where they please, according to your statement.

Mr. SHERLEY. No; I said to the contrary of that. I said there was nothing in the law that would restrict them from expending the money in certain places, but when they came and asked for the money they always stated what they expected to do with it, and when we allowed it, if nothing was said that could be construed as meaning it was intended to be used for a different purpose, it would not be used for a different purpose than what it was asked for.

Mr. WHALEY. Is any of the appropriation to be applied to any of the southern ports other than Charleston?

Mr. SHERLEY. Yes.

Mr. WHALEY. Is Savannah to be fixed up?

Mr. SHERLEY. No.

Mr. WHALEY. Is Jacksonville to be fixed up?

Mr. SHERLEY. This is true as to a good many of them: Some of the money is going to be used to build barbette carriages for the 12-inch guns. As soon as those carriages are finished some of those guns will be mounted at southern ports, and northern ports, and Gulf ports, and Pacific ports.

Now, I want to say to the gentleman in all frankness: I am a southern man. Nobody can accuse me of wantonly or intentionally trying to discriminate against the South. But Charleston, with all its importance, is negligible when compared with the importance of a place like New York, and that is not because Charleston is in the South or because New York is in the North. Take population, take money value of property, take any of the tests that could be applied touching fortifications, and the gentleman will find that the South is being treated just as well as the North is, or as the Pacific coast is.

Mr. WHALEY. That is what I want you to give me information about—

Mr. SHERLEY. That is what I am trying to do—

Mr. WHALEY. Because I understand the appropriation bill last year was to take care of the North and East and that the South was not to be given any of that.

Mr. SHERLEY. A lot of the appropriation made last year was for Cape Henry. You can not call Cape Henry North.

Mr. WHALEY. No; that is South; one place. What I want to know is when my people are going to be fortified. If you can tell me some time in the dim future when they will have some protection—which we have not to-day—while you are protecting all the other parts and all the other parts of the country, I will be glad to know it. They value their lives and property just as much as other people do.

Mr. SHERLEY. Well, you can tell your people that if there has been any discrimination at all recently touching places not of the first importance, it has been in favor of Charleston. In other words, there are places in the South that in my judgment are more in need of an expenditure of \$150,000 than Charleston.

Mr. WHALEY. What I am driving at is, you have got four forts down there, and there is not a single gun on those four forts that can keep off a battleship, which can lie off the harbor at a safe distance and destroy the forts.

Mr. SHERLEY. I deny it.

Mr. WHALEY. I get it from the officers at the forts that have to fire the guns. They tell me that a shell from a battleship can destroy those forts 3 miles out of range of the guns of the forts, and that they can move in after destroying the forts and destroy the navy yard; and yet we get no additional fortifications, such as larger guns, and so forth, for the forts down there, but we are told that after awhile we will be pro-

tected. Now, what I want to know is when we are to be protected?

Mr. SHERLEY. Well, \$150,000 is to be expended for building two barbette carriages to take care of two 12-inch guns. It will probably take a year or more to get them. After they are mounted those guns will have a range of 30,000 yards, which will be a range sufficient to prevent any ship coming against them.

But let me say to the gentleman that there is no greater error than to assume that because certain guns are out of the range of other guns, therefore the fortifications are inadequate, and therefore the fortifications are going to be battered to pieces. I repeat it again, that there has been no fortification in America that I have made as many inquiries about, touching its condition, as I have in regard to the fortifications at Charleston, and every report that we have had has been a contradiction of the statement of facts that has been represented to the gentleman and which he in turn has represented to me. I am not for a moment questioning the accuracy of the gentleman's statement, but I am questioning, as I have a right to question, on the preponderance of testimony, the condition, as the gentleman states it.

Mr. WHALEY. I suppose the gentleman will admit the testimony of the general commanding the district and the colonel commanding the fort is entitled to some weight with me, when I have had them tell me that the guns are absolutely worthless and that the forts could not defend the city. I have to rely on the officers. If they are no good, we ought to kick them out. They have been in the service 35 years as Coast Artillery men, and if their opinion is not worth as much as that of the gentleman from Kentucky, then I am misled. I certainly give them credit for some experience and knowledge of the subject.

Mr. SHERLEY. The gentleman need not be worried. The one thing about which I have been most careful has been not to put my opinion against the opinions of men whose business it is to know, and the things I have stated here have not been stated because I believed them as an original proposition, but they have been stated because of the testimony given by men whose business it was to know. Now, there is a great deal of difference between conversations had touching the conditions of fortifications and reports as to those conditions. A man may very well say that a gun is not worth anything. He may use even a different phrase in order to emphasize it. What he means is that that gun, compared with a new gun of certain power and range and mounted in a different way, is not worth anything, and that is true as a relative statement; but the statement that the gun is of no value in the defense of that place would not be true. When it comes to the reports of these officers, which are on file in the War Department, which the gentleman can see, which I have seen, and some of which I think he has seen, and also the comment of the district officers, he will be forced to the conclusion that taking it as a matter of evidence and weighing it simply as a lawyer, as against the conversational statements which the gentleman has heard, the preponderance of evidence is against him.

Mr. WHALEY. Does the gentleman recall that last year I asked him to bring the general commanding the district and the colonel commanding the forts and let them testify before the committee? I was informed then that the same information could be gotten out of the department, and I told you it could not be, because the general commanding the district had been shifted to Honolulu, so he could not give his testimony, and I was told that he could not be brought here because of expense.

Mr. SHERLEY. I do not for an instant believe that the general was shifted to Honolulu in order to keep him from giving testimony.

Mr. WHALEY. He was sent there just before Congress met, and he was brought back just after the fortifications bill was passed. Ordered out in November, 1915, and brought back in June, 1916.

Mr. SHERLEY. That is another piece of logic that is not sufficient to warrant governmental action, in my judgment. It may have happened that he left just before Congress met and that he came back right after it adjourned, and yet a logician would say that it was a non sequitur that he left because of the fact that Congress was to convene.

Mr. FESS. A case of post hoc, ergo propter hoc.

Mr. SHERLEY. I do not want to be unfair to the gentleman or his territory, but I tried my best to ascertain the facts. I hope to go to Charleston, if I can ever find time enough, and see the situation for myself.

Mr. WHALEY. I offered to take the gentleman last year.

Mr. SHERLEY. I am a little tired of the constant statements that are made to me informally, which conflict with the formal statements that are on file.



Mr. MILLER of Minnesota. May I ask the gentleman a question?

Mr. SHERLEY. Yes.

Mr. MILLER of Minnesota. Is not the entrance to Charleston Harbor such now that no battleship of any size could get in there except at certain particular stages of the tide?

Mr. WHALEY. I would like to answer that, because I do not think the gentleman from Kentucky knows. I will say that a steamship, *Edgar F. Luckenbach*, from the Pacific coast, went in there the other day drawing 32 feet 3 inches of water, with a tide not quite full. There is not a battleship in the Navy that draws that much to-day. The entire fleet can get into Charleston Harbor and still leave ample room for double the fleet of to-day.

Mr. MILLER of Minnesota. I said except at certain stages of the tide—at high tide.

Mr. WHALEY. The difference between high tide and low tide is 5 feet 2 inches. There are 28½ feet at low tide, and there is a rise of 5 feet 2 inches.

Mr. SHERLEY. How wide is the channel?

Mr. WHALEY. The entrance channel is 500 feet between the jetties and 1,000 feet beyond. I suppose that will carry a battleship 90 feet wide. It is the deepest harbor on the South Atlantic coast and costs less and requires less to maintain.

Mr. SHERLEY. It would also make any vessel present a very good target to shoot at.

Mr. MILLER of Minnesota. I know when I was down there on a vessel drawing 26 or 27 feet of water we could not get in except by lying out and waiting for high tide.

Mr. WHALEY. That was a long time ago. It was in 1898, was it not?

Mr. MILLER of Minnesota. No; it was five years ago, and it struck me that the defense of that narrow channel through which vessels must go ought to be a very simple thing.

Mr. WHALEY. Unless they first stood off and demolished your forts, which they can do.

Mr. PARKER of New Jersey. Will the gentleman yield for a question?

Mr. SHERLEY. I yield to the gentleman.

Mr. PARKER of New Jersey. I would like to know one thing that I could not get from the evidence. I understand from the evidence, on pages 72 and 73, that the ultimate provision of field artillery and ammunition is based on a force of 1,000,000 men, according to the statement of Gen. Crozier.

Mr. SHERLEY. What happened was this: The estimates that were submitted represented one-seventh of the amount remaining to be supplied in order to carry out the Treat Board report, as finally approved by the Secretary of War, which contemplated the acquisition of a given amount of mobile armament for 1,000,000 men.

Mr. PARKER of New Jersey. Is that one-seventh for about 100,000 men a year?

Mr. SHERLEY. No; it was not one-seventh in the sense of men; it was one-seventh of the cost in money value of the mobile artillery remaining to be supplied.

Mr. PARKER of New Jersey. How much had been supplied already—enough for two or three hundred thousand men?

Mr. SHERLEY. It all depends on your calculation.

Mr. PARKER of New Jersey. I mean by the Treat Board calculation.

Is it about 100,000 men?

Mr. SHERLEY. The Greble Board contemplated field artillery and ammunition for 500,000 men, figuring four guns and a fraction over for every thousand rifles and sabers. The Treat Board increased the number of guns for a thousand rifles and sabers considerably, increased tremendously the amount of ammunition and caliber of guns that should be had, and figured on the basis of an army of a million men instead of five hundred thousand men. Now, if we had been working under the Greble Board scheme—

Mr. PARKER of New Jersey. Never mind the Greble Board.

Mr. SHERLEY. But I do mind it because it is important for comparison, and I can only give the gentleman the information in the way that I have it. If we had been working on the Greble Board scheme we would have built more of some guns than were in the Greble Board scheme. Now, as I recollect, the Treat Board plan figures something like an expenditure of about three hundred million-odd dollars, and we have something like fifty or sixty million dollars' worth now.

Mr. PARKER of New Jersey. I thought it was \$450,000,000, and that we had about \$150,000,000 now, including ammunition. I am including ammunition.

Mr. SHERLEY. As a matter of fact, we have \$67,000,000 in value of material now on hand or appropriated for. There

remains to be provided under the program of that board material to the value of \$256,692,738.

Now, the estimates that were submitted to the Committee on Military Affairs and the Committee on Appropriations contemplated providing one-seventh of that sum of \$256,000,000 with this difference: That the estimate there is the estimate of values at the time the Treat Board made the report, whereas it is going to cost us now about 25 per cent more to get the guns than it would have cost under the figures that were used by that board.

Mr. PARKER of New Jersey. I am obliged to the gentleman. I think I have got all that. What I wanted to get was what we are providing for and what we will have in seven years in material and ammunition for a million men. Does the gentleman think a million men ought to be anything more than a mere figure, and that we ought to have reserve for a great deal more than a million men if we get into a war in seven years?

Mr. SHERLEY. The gentleman is carrying me far afield.

Mr. PARKER of New Jersey. I am asking the gentleman for his opinion.

Mr. SHERLEY. I know the gentleman is, and I will give it. The gentleman is carrying me far afield. The gentleman from Massachusetts [Mr. GARDNER] asked me whether I thought the present allowance for seacoast cannon was adequate. I replied to him as a practical legislator that that question was immaterial. I have far enough to travel before I get up to this scheme without burdening my head as to how inadequate it may be. It takes all the influence I have to get men willing to go as fast as we are travelling. What is the use of my troubling myself as to how much faster we could travel if we wanted to.

Mr. PARKER of New Jersey. Does not the gentleman see a distinction between fortifications and the land army?

Mr. SHERLEY. Oh, yes; I do not want to be disagreeable to the gentleman, but I have not time to waste in making calculations about how much more might be desirable when every ounce of influence I may have is necessary to get men to agree with me to go as fast as we are going.

Mr. PARKER of New Jersey. I would like to ask the gentleman whether he does not think if the Navy failed as a defense, that a mobile army is of much more importance than fortifications?

Mr. SHERLEY. I do and I do not. I think fortifications is not all; but I do think that we are more likely to have guns and ammunition than trained men when war comes, if it shall come.

I am much obliged to the committee for their attention. [Applause.]

Mr. SMITH of Minnesota. Mr. Chairman, I move to strike out the last two words. I am not going to attempt to discuss the bill under consideration, because it would be unwise for me to do so in view of the information that we have had from the distinguished chairman of the subcommittee. I am willing to follow him in this matter and vote for the bill he presents.

A large number of my constituents are making a vigorous protest against some of the provisions of the revenue bill about to be brought in by the majority members of the Ways and Means Committee, and especially to that section of the bill which proposes to impose an additional tax of 8 per cent on the earnings of corporations and partnerships.

I feel that there is much justification for their protest. Every known source of revenue has been tapped heretofore by this administration. It has perfected an obnoxious system of taxation, and the present bill simply adds to that unwholesome structure additional iniquities.

It first reduced the revenue heretofore collected at the customhouse by more than one-half. In order to take care of this loss it revived the Spanish War tax, increased corporation taxes, increased the income tax, imposed an inheritance tax. Its present plan is to again increase the income tax, the inheritance tax, to sell several hundred million dollars' worth of United States bonds and \$100,000,000 worth of United States Treasury notes.

I will incorporate as a part of my remarks a telegram which I received from the Hon. George M. Gillette, president of the Minnesota Employers' Association, an association composed of about 5,000 of the business men of the State of Minnesota, protesting against the tax:

ST. PAUL, MINN., January 26, 1917.

G. R. SMITH,

House of Representatives, Washington, D. C.:

I wish to record in the name of 4,200 business men of this State represented by this association their protest against the proposed measure before Congress taxing profits.

MINNESOTA EMPLOYERS' ASSOCIATION,  
GEO. M. GILLETTE, President.



The Clerk read as follows:

For construction of gun and mortar batteries, \$2,500,000.

Mr. GARDNER. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Kentucky [Mr. SHERLEY] to tell us how much of that amount is for the Cape Henry fortifications. I think he did not go into the details of that.

Mr. SHERLEY. Mr. Chairman, the situation touching that item is a little peculiar. Last year we gave them \$2,300,000, the idea being that that would enable them to start considerable work at Cape Henry and do some work at Rockaway Beach, in the event that they got the land, and also for the emplacements in connection with certain of the 12-inch guns that were to be mounted on barbette carriages. It developed at the hearings that they had not expended practically any of this money, due to the fact that title has not been secured at all at Rockaway Beach, and there was a hitch in the title at Cape Henry, growing out of a right of way for a railroad in connection with the wharf that was necessary before beginning most of the construction work, in order to get the material in. Questions also arose as to the other emplacements. The result was that though they asked this year for \$3,675,000 the committee cut that amount to \$2,500,000, because it was believed that with the something over \$2,000,000 they have now on hand and the two million and a half we are giving them they could not and would not spend more than that prior to the next year's bill becoming a law. With that it is expected that they will do their work as fast as they can at Cape Henry and at Rockaway and for the emplacements of these 12-inch guns. One of the problems that delayed there was the question of where they would place those guns. Then there was also some money—\$50,000 and odd—for emplacements for anti-aircraft guns, and considerable question came up as to whether those guns should be on fixed emplacements, and I am rather inclined to think that they will not be, but will be placed on trucks capable of being moved about, and simply stored at the fortification. The result is that they will have now all of the money that they can use for emplacement work. And this further fact ought to be noted: There will be no actual delay in regard to these fortifications because of their failure to expend previous moneys, because, as the gentleman knows, they can build emplacements very much faster than you can build the guns, and by the time the guns and the carriages are ready I think the emplacements at both of these places will be easily ready.

Mr. GARDNER. Would about \$1,000,000 of this be expended at Cape Henry?

Mr. SHERLEY. As I recall, they asked this year for something over \$800,000 at Cape Henry. I should say that at least a million of it or more would be spent at Cape Henry.

Mr. GARDNER. And they have expended a couple of millions before this at that point.

Mr. SHERLEY. We appropriated it, and they have now something over \$2,000,000 unexpended, and I should say that considerably over a million, if needed, would go to Cape Henry. I can not recall at this time the estimated cost for the emplacements at Cape Henry.

Mr. GARDNER. I can not either, and I was just going to ask the chairman.

Mr. MILLER of Minnesota. Was not the sum of \$1,600,000 appropriated last year for Cape Henry?

Mr. SHERLEY. Last year there was appropriated \$2,300,000, with the understanding that it might be used for several purposes, according as the exigencies demanded. It was not possible to segregate it. The clerk informs me that \$1,700,000 in round figures is what the emplacements at Cape Henry are expected to cost.

Mr. MILLER of Minnesota. That may be. The statement made by the gentleman a year ago, I think, when the discussion was up, was that the amount for those fortifications was to cost about \$1,600,000.

Mr. SHERLEY. They submitted estimates this year for \$3,675,000, of which \$800,000 was expected to be for Cape Henry, but they also had estimates for a lot of other work, which they can not possibly do within the time between this bill and a new bill, and the cut that was made here was made after a very thorough examination. I think I am warranted in saying that the engineer officers feel satisfied that we have allowed them funds ample for their work for the ensuing year. If I have any doubt it is that we did not cut it enough. I think that next year the committee will probably be told that they have not been able to expend more than four million of this money.

Mr. MILLER of Minnesota. Is any of this sum to be appropriated for gun or mortar batteries for Hawaii?

Mr. SHERLEY. Not at this point in the bill. The money for the Hawaiian Islands is carried under the insular possessions in the latter part of the bill. There is being carried money toward the building of six emplacements in the Hawaiian Islands, a little less than \$300,000 of the total required.

Mr. MILLER of Minnesota. Perhaps the gentleman can further tell me whether any of this is to go to fortifications in Puget Sound? I know that is a pretty broad question.

Mr. SHERLEY. No; I do not think any of this emplacement money is for Puget Sound. We are making some provisions in connection with the item for armament for seacoast defenses. Part of that is for some 16-inch guns at Puget Sound, but it is not necessary to start that emplacement work now, because it will take four to five to six years to get the guns and carriages, and you can build those emplacements in two seasons.

Mr. MILLER of Minnesota. Does not the gentleman think that if it is going to take four or five or six years to get a 16-inch gun and carriage we might shorten that time up by having some barbette carriages that do not take so much time to make?

Mr. SHERLEY. Why, I think it will take more time to build barbette carriages; but the building of the guns is the thing that is going to delay a great deal, and we have to have the same gun, whether we put them on a barbette or a disappearing carriage.

Mr. MILLER of Minnesota. I am afraid the bogey man will get us long before those guns are built.

Mr. SHERLEY. That may be, but I think only the bogey man will get us, and I am not afraid of him. [Laughter.]

The Clerk read as follows:

The Secretary of War is authorized to transfer to the owners of the adjacent land, in partial consideration for the transfer to the United States of an easement in other land of said owners, the title of the United States to a right of way now owned by the United States and located between the tract of land known as the main Fort H. G. Wright Military Reservation and the tract of land known as the Mount Prospect Tract, on Fishers Island, Long Island Sound, N. Y.

For modernizing older emplacements, \$102,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I assume this is to enable the department to overcome that difficulty that the gentleman a little while ago referred to about fortifications down on Long Island.

Mr. SHERLEY. No; then I was talking about Rockaway Beach. The situation is this: We now own a certain roadway, or, rather, we own a right of way at Fort Wright. In connection with the building of some turrets that are to be placed there it is necessary to build and construct a railroad. Now, the roadway is not adaptable for the placing of a railroad. Last year we appropriated money to acquire certain land that is to be used there, but in doing that it became desirable to trade this right of way which we now have as a road right of way for a right of way that is to be given us for a railroad, and this language is put in for that purpose.

Mr. STAFFORD. Entirely for the benefit of the Government?

Mr. SHERLEY. Absolutely, and it simply saves us the cost of condemning and buying a right of way.

Mr. STAFFORD. Mr. Chairman, before withdrawing the reservation of the point of order, I would like to ask the gentleman whether he does not think, as it is late on Saturday afternoon, we should rise, as it is apparent we can not finish the bill to-day.

Mr. SHERLEY. Mr. Chairman, I had no idea of finishing the bill, but I had hoped to get pretty well into it. Personally I am tired enough to be willing to quit at any time.

Mr. KITCHIN. The gentleman has been on his feet a little more than two and a half hours and he ought to be willing to quit.

Mr. STAFFORD. I am glad to hear the gentleman is in an accommodating state of mind, and I withdraw the point of order.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. ALEXANDER having assumed the chair as Speaker pro tempore, Mr. HUSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20453, the fortifications bill, and had come to no resolution thereon.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn—Mr. Speaker, I will withhold that for a moment to enable the gentleman from Nebraska to submit a request for unanimous consent.



## EXTENSION OF REMARKS.

Mr. SLOAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by discussing briefly the subject of the organization of the House in close contests, to supplement the same by a well-written history of such contests by Edgar C. Snyder, correspondent of the Omaha Bee, a very instructive article, entirely nonpartisan.

Mr. KITCHIN. Mr. Speaker, as this is the first thing he is going to put in the RECORD that is nonpartisan, I am not going to object to it.

The SPEAKER pro tempore. Is there objection to the extension of remarks? [After a pause.] The Chair hears none.

## LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted as follows:

To Mr. SINNOTT, until and including January 31, 1917, on account of sickness in his family.

To Mr. BAILEY, until and including January 29, 1917, on account of important business.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 18542) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. OVERMAN, Mr. BRYAN, and Mr. SMOOT as the conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 202. Joint resolution to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States on March 5, 1917.

The message also announced that the Senate had passed the following resolutions:

## Senate resolution 331.

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. DAVID E. FINLEY, late a Representative from the State of South Carolina.

*Resolved*, That a committee of six Senators be appointed by the Vice President to join a committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

And that the Presiding Officer, under the second resolution, had appointed as the committee on the part of the Senate Mr. TILLMAN, Mr. SMITH of South Carolina, Mr. ASHURST, Mr. VARDAMAN, Mr. WALSH, and Mr. FERNALD.

The message also announced that the President had approved and signed, on January 25, 1917, bills of the following titles:

S. 5718. An act to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona; and

S. 1093. An act to permit the Denison Coal Co. to relinquish certain lands embraced in its Choctaw and Chickasaw coal lease and to include within said lease other lands within the segregated coal area.

## DESIGNATION OF SPEAKER FOR TO-MORROW.

The SPEAKER pro tempore. The Speaker designates the gentleman from West Virginia [Mr. LITTLEPAGE] as Speaker pro tempore for to-morrow's memorial exercises.

## ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I renew my motion to adjourn. The motion was agreed to; accordingly (at 4 o'clock and 15 minutes p. m.) the House adjourned to meet at 12 o'clock to-morrow, Sunday, January 28, 1917.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CANTRILL, from the Committee on Industrial Arts and Expositions, to which was referred the joint resolution (S. J. Res. 182) authorizing an exhibition of the various activities of the Government service, reported the same with amendment, accompanied by a report (No. 1364), which said joint resolu-

tion and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAMLIN, from the Committee on the Territories, to which was referred the bill (H. R. 20500) to provide for the prohibition of the importation of intoxicating liquors into the Territory of Hawaii, and to prohibit the manufacture and sale of intoxicating liquors therein under certain conditions, reported the same without amendment, accompanied by a report (No. 1365), which said bill and report were referred to the House Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KITCHIN: A bill (H. R. 20573) to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes; to the Committee on Ways and Means.

By Mr. PARK: A bill (H. R. 20574) granting the consent of Congress to the county commissioners of Decatur County, Ga., to reconstruct a bridge across the Flint River, at Bainbridge, Ga.; to the Committee on Interstate and Foreign Commerce.

By Mr. GOOD: A bill (H. R. 20575) to provide for making biennial appropriations and to provide for estimates therefor; to the Committee on Appropriations.

By Mr. RICKETTS: A bill (H. R. 20576) providing for pensions for all American citizens who have reached the age of 65 years, and who are incapable of performing manual labor, and whose incomes are less than \$200 per annum; to the Committee on Pensions.

By Mr. RAGSDALE: Resolution (H. Res. 473) amending the RECORD of January 25, 1917; to special committee appointed by the Speaker.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWERS: A bill (H. R. 20577) for the relief of the Methodist Episcopal Church and the Presbyterian Church, Keyser, W. Va.; to the Committee on War Claims.

By Mr. DILL: A bill (H. R. 20578) granting an increase of pension to Mrs. Hester Jane Padgett; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 20579) granting an increase of pension to Edward H. Steele; to the Committee on Pensions.

By Mr. FREEMAN: A bill (H. R. 20580) granting an increase of pension to Robert Shannon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20581) granting an increase of pension to Mary A. White, New London, Conn.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20582) granting an increase of pension to Elizabeth E. Frink; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 20583) granting a pension to Nancy C. Mays; to the Committee on Pensions.

By Mr. KEATING: A bill (H. R. 20584) granting an increase of pension to D. G. Scott; to the Committee on Pensions.

Also, a bill (H. R. 20585) granting a pension to A. M. Coville; to the Committee on Pensions.

Also, a bill (H. R. 20586) granting a pension to Murray H. Lewis; to the Committee on Pensions.

By Mr. KETTNER: A bill (H. R. 20587) for the relief of George R. Rogers; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 20588) granting an increase of pension to Jane Haney; to the Committee on Invalid Pensions.

By Mr. MCGILLICUDDY: A bill (H. R. 20589) granting an increase of pension to Loring C. Records; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20590) granting an increase of pension to Alden F. Wooster; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 20591) granting a pension of Lelia M. Farinholt, mother of Benjamin A. Farinholt, late of the United States Navy; to the Committee on Pensions.

Also, a bill (H. R. 20592) for the relief of sundry railroad companies; to the Committee on Claims.

By Mr. MOSS: A bill (H. R. 20593) granting an increase of pension to Levi Applegate; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 20594) granting an increase of pension to Robert W. McWilliams; to the Committee on Invalid Pensions.



Also, a bill (H. R. 20595) granting a pension to Emiline Hartley; to the Committee on Invalid Pensions.

By Mr. OLNEY: A bill (H. R. 20596) granting an increase of pension to Catherine O'Connor, account of helpless and dependent child; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20597) granting an increase of pension to Ansil T. Bartlett; to the Committee on Invalid Pensions.

By Mr. Sisson: A bill (H. R. 20598) granting an increase of pension to Emma J. Flanagan; to the Committee on Pensions.

By Mr. STEELE of Iowa: A bill (H. R. 20599) granting an increase of pension to James Mohan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20600) granting an increase of pension to Thomas J. Trulock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20601) granting an increase of pension to Nehemiah Aldrich; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20602) granting a pension to Sarah J. Wier; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Protest of H. A. Hutchison, H. B. Mallory, Mrs. H. B. Mallory, Jacob G. Johnson, Cloyd Diggins, John H. Rous, A. Claybaugh, Mrs. Alton Claybaugh, Mrs. Ralph Swanger, Emily M. Wilt, Helen C. Love, W. H. Ritter, D. E. Wentzel, Florence Green, Mrs. P. H. Crawford, S. A. Fleck, Mrs. S. A. Fleck, C. W. Bollinger, J. W. Rodkey, Mrs. J. W. Rodkey, E. R. Heckman, J. W. Gaines, George W. Munroe, H. S. Baumgardner, Percy Hauser, Mrs. G. Rutter, Mrs. Percy Hauser, E. L. Lowder, J. W. Carter, E. R. Naus, Joseph H. Slagle, W. A. Glass, G. W. Lynn, L. M. McCartney, Mrs. E. L. Lowder, Mrs. E. R. Heckman, S. A. Lykens, F. D. Collinson, Mrs. C. R. Salyards, Mrs. E. R. Naus, Mrs. W. H. Slagle, and J. R. Barr, all of Altoona, Pa., against the zone system of rates for second-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. CALDWELL: Petition of George S. Hall and several hundred other citizens of New York, Brooklyn, and neighboring points and of Christoph G. Knors and 37 others of Greater New York, protesting against mail-exclusion bills and proposed prohibition bills and resolutions; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Petition of Methodist Episcopal Church, Ocala County; rally meeting, Montbrook, Levy County; Baptist Sunday School rally meeting, Montbrook, Levy County; rally meeting, High Springs, Alachua County; Sabbath School, Weirsdale, Marion County; and citizens of Alachua County, Fla., all favoring national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of Mrs. W. C. Pierce, probation officer at Bristol, Pa., advocating passage of the Owen-Hayden bill, to establish a probation system in United States courts; to the Committee on the Judiciary.

Also, petition of Samuel Cupples Envelope Co., of New York, asking favorable consideration of a bill to authorize the Postmaster General to increase prices for certain supplies to conform to abnormal market conditions; to the Committee on the Post Office and Post Roads.

Also, petition of the New York Churchman's Association, setting out resolutions of protest against the action of the German Government toward the people of Belgium; to the Committee on Foreign Affairs.

Also, petition of the Law and Order Society of Philadelphia, protesting against the confiscatory nature of the District of Columbia prohibition bill; to the Committee on the District of Columbia.

By Mr. FOSTER: Petition of United Brethren Church of Lawrenceville, Ill., favoring constitutional amendment prohibiting manufacture and sale of alcohol as a beverage; to the Committee on the Judiciary.

Also, petition of Methodist Episcopal Church of Lawrenceville, Ill., favoring the constitutional amendment prohibiting the manufacture and sale of alcohol as a beverage; to the Committee on the Judiciary.

Also, petition of Baptist Mission Union, of Lawrenceville, Ill., favoring constitutional amendment prohibiting the manufacture and sale of alcohol as a beverage; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Lawrenceville, Ill., favoring constitutional amendment prohibiting the manufacture and sale of alcohol as a beverage; to the Committee on the Judiciary.

Also, petition of members of the Presbyterian Church of Lawrenceville, Ill., favoring constitutional amendment prohibiting

the manufacture and sale of alcohol as a beverage; to the Committee on the Judiciary.

Also, petition of members of the Church of Christ, at Lawrenceville, Ill., favoring constitutional amendment prohibiting the manufacture and sale of alcohol as a beverage; to the Committee on the Judiciary.

Also, petition of citizens of Lawrenceville, Ill., favoring constitutional amendment prohibiting the manufacture and sale of alcohol as a beverage; to the Committee on the Judiciary.

Also, petition of citizens of Farina, Ill., protesting against the manufacture and sale of liquor in the District of Columbia and protesting against liquor advertisements through the mails; to the Committee on the District of Columbia.

Also, petition of Third National Bank of Rockford, Ill., by L. G. Spafford, its president, protesting against passage of amendment to the Federal reserve act; to the Committee on Banking and Currency.

Also, petition of Arthur Gales, of Bedford Hills, N. Y., favoring House bill 14428, to increase pensions of maimed soldiers of the Civil War; to the Committee on Invalid Pensions.

Also, petition of Association of Fully Disabled Union Veterans of the Civil War, for increase of pensions as provided by House bill 14428; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: Petition of Martin Glynn and 50 other citizens of Boston and vicinity, protesting against passage of House bill 18986, Randall mail-exclusion bill; Senate bill 4429, Bankhead mail-exclusion bill; Senate bill 1082, Sheppard District of Columbia prohibition bill; House joint resolution 84, Webb nation-wide prohibition; and House bill 17850, Howard bill to prohibit commerce in intoxicating liquors between the States; to the Committee on the Post Office and Post Roads.

By Mr. GARDNER: Protests from various manufacturers in the State of Massachusetts against the proposed increase in the tax on corporations; to the Committee on Ways and Means.

Also, protests from various manufacturers against the proposed increase in the tax on corporations; to the Committee on Ways and Means.

By Mr. GORDON: Petition of 101 citizens of Cuyahoga County, Ohio, in opposition to certain prohibition measures now pending before Congress; to the Committee on the Judiciary.

By Mr. IGOE: Memorial of the Carpenters' District Council of St. Louis and vicinity, pertaining to the Americanization work of the United States Naturalization Service and urging an additional appropriation to carry on this work; to the Committee on Appropriations.

By Mr. KING: Petition signed by Messrs. T. C. Poling, Chester Poling, and Samuel Woods, of Quincy, Ill., favoring certain bills now before Congress excluding liquor advertisements from the mails and forbidding the sale of liquors in the District of Columbia; to the Committee on the Post Office and Post Roads.

Also, petition of the First Congregational Church of Abingdon, Ill., and signed by its pastor, Rev. William T. Butcher, favoring and urging passage of a national prohibition amendment; to the Committee on the Judiciary.

Also, petition of Mr. M. J. West, president, and Mr. Roy Zabel, secretary, of the International Brotherhood of Electrical Workers of Kewanee, Ill., protesting against the adoption of mail-exclusion bills; to the Committee on the Post Office and Post Roads.

By Mr. MORIN: Petition of Westmoreland Connellsville Coal & Coke Co. and the Reliance Coke Co., both of Pittsburgh, Pa., with reference to excise tax on net incomes; to the Committee on Ways and Means.

By Mr. SNELL: Petition of A. C. Sunderland, Ellenburg Depot, N. Y., representing the voters of school district No. 14, New York State, requesting support of prohibition bill; to the Committee on the Judiciary.

Also, petition of Fred Raby, secretary Branch 488, United States post office, and the following employees, asking support on House bill 6915, the Griffin bill: N. E. Laravie, O. J. Passnault, W. H. Burke, R. C. Weaver, L. O. Mitchell, Earl Wheeler, W. E. Valentine, Henry Coste, jr., and Leo W. Barnard; to the Committee on the Post Office and Post Roads.

By Mr. SNYDER: Petition of various residents of thirty-third congressional district of New York, favoring the Anthony suffrage-for-women amendment; to the Committee on the Judiciary.

By Mr. SULLOWAY: Petition of the post-office clerks of Manchester, N. H., praying for an increase of wages on account of the high cost of living; to the Committee on the Post Office and Post Roads.

Also, petition of Portsmouth Branch, No. 3, National Association United States Civil Service Employees, at navy yards and stations, praying for an increase in salaries on account of the



high cost of living and other conditions; to the Committee on Naval Affairs.

By Mr. TINKHAM: Petition of Charles T. R. Curwen, of Boston, Mass., and 41 others, opposing mail-exclusion and prohibition legislation; to the Committee on the Judiciary.

Also, petition of New York Churchman's Association, requesting the President to protest against the German treatment of Belgium; to the Committee on Foreign Affairs.

## HOUSE OF REPRESENTATIVES.

SUNDAY, January 28, 1917.

The House met at 12 o'clock noon, and was called to order by Mr. LITTLEPAGE as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, Dispenser of all good, Father of all souls, our hearts instinctively turn to Thee as we thus assemble here to-day to record on the pages of history the life, character, and public service of a deceased Member who served his people, State, and Nation upon the floor of this House with fidelity, courage, and fortitude. We mourn his going, but not without hope. We thank Thee for that something within that tells us we shall never die, that something which tells us that truth shall outlive the stars, that something which tells us that love shall be satisfied. We mingle our tears with those who knew and loved him, his lonely widow and orphan children; and pray that they may look forward with imperishable hope to a reunion in a realm where sorrows nor death shall ever enter. And Thine be the glory through Him who taught us that good is stronger than evil, that life is stronger than death.

I know not where His islands lift  
Their fronded palms in air;  
I only know I can not drift  
Beyond His love and care.

Amen.

### THE JOURNAL.

The SPEAKER pro tempore. The Clerk will read the Journal of the proceedings of yesterday.

Mr. WOODYARD. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent to dispense with the reading of the Journal. Is there objection?

There was no objection.

### LEAVE TO EXTEND REMARKS.

Mr. WOODYARD. Mr. Speaker, several Members who had signified their intention of speaking here to-day have been unexpectedly called away, and I ask unanimous consent that any Members who wish to do so may extend their remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent that Members who desire to do so may extend in the RECORD remarks appropriate to to-day's exercises. Is there objection?

There was no objection.

### THE LATE REPRESENTATIVE MOSS OF WEST VIRGINIA.

The SPEAKER pro tempore. The Clerk will read the special order of the day.

The Clerk read as follows:

On motion of Mr. WOODYARD, by unanimous consent.  
Ordered, That Sunday, January 28, 1917, be set apart for addresses upon the life, character, and public service of Hon. HUNTER H. MOSS, Jr., late a Representative from the State of West Virginia.

Mr. WOODYARD. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution No. 474.

Resolved, That the business of the House be now suspended, in order that opportunity may be given for tributes to the memory of Hon. HUNTER H. MOSS, Jr., late a Member of the House from the State of West Virginia.

Resolved, That as a special mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these memorial exercises to-day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER pro tempore. The gentleman from West Virginia [Mr. BOWERS] is recognized.

Mr. BOWERS. Mr. Speaker, it was not my pleasure to have had a long personal acquaintance with my colleague, the late Representative HUNTER HOLMES MOSS, Jr. I became a Member of this House on the 16th day of May, 1916, and he died a few weeks following. It was my pleasure to hear him deliver an able, eloquent address during this brief period and I was impressed with his ability, foresightedness, and his progressive-ness. In that address he proved himself to be a man of courage, and, although apparently in great pain, he delivered it in a forceful and impressive manner. He was then walking within the shadows of death. He knew it, his family knew it, and his friends knew it. The sands were then running low in the hourglass which timed his life.

Judge Moss became known by reputation throughout the State. West Virginians, like myself, knew him in that impersonal way, read with interest and profit of his stand on important judicial and public questions, as well as the addresses he was accustomed to make to bar associations and gatherings of our people in the western part of the State on non-political subjects of considerable importance at the time of their delivery. We who lived far distant from where he lived and labored came to know him in this way, and West Virginians were universally attracted to him. They admired him for his aggressive style of public utterance, the outspoken emphasis of his opinions, and the clarity and common-sense texture of his judicial decisions. This combination of youth and wisdom on the circuit courts of our State was a comparatively rare thing even as late as then. West Virginia up till about that time still clung tenaciously to the archaic idea that old age, with its patriarchal beard, was fit only to wear the judicial ermine, interpret the laws and award judgments. Beardless youth, however wise and well poised, however learned in the law and upright of character, however abreast of the vanguard in the procession of progress of the age, was thought to be insufficient for the task. Happily, this is all changed in West Virginia.

The late Representative Moss was, perhaps, the pioneer in bringing it about. Wisdom and learning, character and industry, worth and merit are now rewarded when found in our sturdy young men. They do not have to wait until age has whitened their heads and infirmed their limbs to receive the Victorian crosses which the men in all walks of our busy American life have shown that they deserve. So it happened—and it happened in a remarkably short space of time—that Judge Moss's name became known Statewide, and his reputation as an able and upright judge likewise. Men like myself, far distant from his field of activity, bethought themselves that in him there was developing a man who was destined to mount to greater heights, to build the structure of his public career upon a foundation the corners of which would rest upon every boundary line of the Commonwealth. He possessed the qualities of leadership and statesmanship. His was a new and brilliant star in the public and official life of West Virginia. That opinion is still held. Death itself can not erase it. It alone, in our judgment, could and did prevent realization. Judge Moss's career, extraordinary as it was, is far from achieving the grandeur and fame which it would have reached had he been permitted to live out the allotted three score and ten years.

In these circumstances which I have narrated it will be plain to my hearers that when I met Judge Moss here on the floor of this House I did not feel that I was meeting a stranger. Nor did he, I am glad to state. Our relations became immediately friendly and cordial, although we both knew at the time that our friendship would be of short duration. That, of course, was a subject never mentioned between us. In the few times I saw and talked with him I found no need to discount the appraisal.

In his district have died recently many of its most prominent men, among them the Camdens, Jacksons, Boremans, Shattucks, and Representative Moss's worthy competitor, Hon. John M. Hamilton.

The district which I represent has been stricken, hard stricken as it were, within the past few years. No other one district in the Nation has lost so many of its valuable and distinguished men as this district.

First, only a few years ago, came the death of Senator Stephen Benton Elkins—and to whom I know of no better tribute than that printed in the Washington Post on the morning after his death. He was a man who made friends on every hand, who drew and held them to him, regardless of political affiliation, religious creed, or racial characteristics. Of him it may be said he was without an enemy. He was the apostle of sunshine, the embodiment of good cheer, the inveterate foe of pessimism,